

VOLKSWAGEN'S SHAME || GOP DEBATE FIB-FEST

JAMIE LINCOLN KITMAN

ERIC ALTERMAN

THE Nation.

150

CONFRONTING THE SYRIA CRISIS

The refugee
flood should force
the world to address the
heart of the problem:
the civil war itself.

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Coming Out for Choice

After reading Katha Pollitt's column "Come Out, Pro-Choicers!" [September 14/21], I've decided to tell my story to *The Nation*. I had an abortion at age 18. I was date-raped and prayed that I would not become pregnant. When I missed my period, I knew my prayers had not been answered.

I was beside myself with worry when I went home for the summer after the end of my first college year. My mother recognized my condition and arranged for an abortion. The doctor who was to do the procedure first asked if there was any possibility of marriage. None, I replied. On the way home, my mother cautioned me not to mention this to anyone. I kept the secret for many years.

I was able to take up my usual job for the summer and finish my schooling. I was immensely grateful to my mom and to the doctor who performed the abortion.

I am a grandmother now and never had the need for another abortion. But I have always been pro-choice. I think abortion should be available everywhere. I am in the poverty class, but I sometimes give small sums to an organization that helps women in need of an abortion.

CORNELIA SMOLLIN
PITTSBURGH

Hillary's Unrequited Love

Hillary Clinton voted to invade Iraq and has amassed millions in donations linked to the fossil-fuel industry. Yet, in "Can Hillary Win Over the Left?" [September 14/21], Michelle Goldberg argues that Clinton is worthy of progressive support, at a political moment when progressives have a clear alternative.

Goldberg's point seems to be that, although Hillary has flipped from liberal to centrist with the political

winds, public opinion is now moving to the left, so we can rely on Hillary to rediscover her liberal roots. But it's one thing to be pragmatic when it's necessary for legislative damage control; it's another to be a politically unprincipled chameleon.

Goldberg goes to great lengths to persuade us that Clinton has often been to the left of Obama (which is not saying much) and to the left of her husband (which is saying even less). But why should we settle for that when we have a candidate who has consistently been far more progressive than all of the above, and who is now winning the hearts of voters in a way that Hillary never has and never will?

If Clinton ends up being the nominee, I'll hold my nose and vote for her. Until then, progressives should be full steam ahead for Bernie!

MARC B. FRIED
GARDINER, N.Y.

Campaign statements and rhetoric may be fluff, guile-filled disinformation, or even (rarely) honest statements of intention and purpose. But no matter how well crafted and intended, they cannot rise to the level of the hard, fact-filled significance contained in the record of a candidate's public life. I don't know whether Hillary can win over the left; I do know that she can't win me over. Her record is too hawkish and subservient to Wall Street. Mere campaign statements cannot overcome that.

DONALD MINTZ
TRUMANSBURG, N.Y.

Let's have the truth regarding Hillary Clinton's stance on the Iraq War. She didn't simply vote to authorize that war of choice: She promoted it energetically and avidly, and she hasn't repented, despite all its horrendous outcomes. Those eager to be co-opted can call that an

letters@thenation.com

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The Syria Crisis

The refugee crisis now confronting Europe, with hundreds of thousands of desperate migrants pouring across multiple borders, has opened up deep fissures in the European Union. The crisis threatens to tear the EU apart, but it's truly global in nature, with roots in decades of conflict, from Afghanistan

to Somalia to Eritrea; in the multiple upheavals stemming from the Arab revolutions, from Libya to Yemen; and in the regional instability and extremism brought about by the US invasion, occupation, and destruction of Iraq. But the greatest source of refugees flooding into Europe now is Syria, and that demands a rethinking not only of EU and US refugee policy, but also their approach to Syria's civil war.

About half of Syria's population—nearly 12 million people—has been displaced after four years of brutal conflict, with some 300,000 dead and more than 4 million now having fled the country. According to the Office of the UN High Commissioner for Refugees, the pronounced increase in Syrians fleeing to Europe this year has multiple causes, chief among them despair at the crisis in their home country ever being resolved, combined with a steadily declining flow of aid to refugee camps in Turkey, Lebanon, and Jordan. The UN's current interagency aid plan is less than 40 percent funded for 2015, even as some countries bordering Syria have imposed tight restrictions on refugee employment.

The humanitarian catastrophe has spurred renewed demands for world powers to address the civil war, and the UN General Assembly session this September was an opportune moment to do so. Indeed, US and Russian diplomats have expressed increasing willingness to cooperate in resolving the crisis, and Washington and Moscow share a common goal in stemming Islamist extremism and achieving stability in Syria and Iraq. But the dueling UN speeches by President Obama and Russian President Vladimir Putin exposed once again the deep divisions between the two countries.

Those divisions reflect and are compounded by the sectarian divide in the Middle East, in which Saudi Arabia and the other Gulf monarchies, along with Turkey, have lavished arms and aid on rebel forces fighting the government of Bashar al-Assad,

while Russia, Iran, and Lebanon's Shiite militia Hezbollah have steadily increased their supply of arms, aid, and advisers—and in the case of Hezbollah, ground troops—to Assad's regime. Putin has now raised the ante by announcing an intelligence-sharing agreement among Russia, Iran, Iraq, and Syria with the avowed aim of fighting the Islamic State (ISIS), but one that seems intended just as much to shore up the Syrian leader. In fact, Russia carried out its first airstrikes two days after Putin's speech.

While the conflict may appear to be as intractable as ever, there are concrete measures that nations can take, both individually and collectively, to relieve the agony, even as they must urgently renew talks toward a negotiated solution. First, the UN and other aid agencies need an immediate vast increase in funding. World powers may disagree on how to resolve the conflict, but nothing is preventing them from addressing the

humanitarian crisis, which increasingly threatens the stability of Jordan (now hosting 600,000 refugees), Lebanon (more than 1 million), and Turkey (about 2 million). Second, the United States and European countries must increase, by orders of magnitude, the number of refugees they accept for asylum. The United States could easily absorb at least 100,000—many more than the paltry increase recently announced by the Obama administration.

As for broader American policy toward Syria, it has reached a dead end. The air campaign begun more than a year ago has failed to turn the tide against ISIS, and the US effort to train and field a "moderate" Syrian rebel army to complement the air strikes has collapsed. While the Kurds in the north have proved to be useful allies in the fight against ISIS in Syria as well as Iraq, the same cannot be said of Washington's regional Sunni allies, who continue to pursue their own particular interests,



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**DC BY THE
NUMBERS**

5.7%

Annual rate of increase in price for 227 brand-name drugs in 2006

12.9%

Annual rate of increase for 227 brand-name drugs in 2013

\$13.50

Cost per pill of Daraprim, a drug used to treat a life-threatening parasitic infection, when Martin Shkreli's company, Turing Pharmaceuticals, purchased it

\$750

Cost per pill of Daraprim after Shkreli's company raised the price

\$16B

Annual projected savings if Medicare were allowed to negotiate Part D prescription-drug prices with pharmaceutical companies

"No doubt I am a capitalist who plays to win."

Martin Shkreli, CEO of Turing Pharmaceuticals, on Twitter

with Turkey more focused on targeting the Kurds than ISIS, and Saudi Arabia and the Gulf states still funding jihadi rebel groups in Syria, even as they pretend to join the war against ISIS.

To avoid an even greater catastrophe, the administration must decisively reverse course and take the only road that has a plausible chance of stabilizing Syria and eventually defeating ISIS and other Islamist radical groups. That road entails, first, the recognition not only that there is no military solution, but that military action actually impedes progress on the diplomatic front. Second, the United States must work toward a solution with all of the parties to the conflict: the Syrian government, Hezbollah, and the various rebel forces and civilian opposition groups; regional powers including Iran, Turkey, and the Gulf states; as well as countries like Russia and the other permanent members of the UN Security Council. The only exception to this all-inclusive rule should be ISIS, which—quite apart from its theatrical, murderous nihilism—rejects as a matter of principle the very idea of negotiations.

The Geneva Communiqué of 2012—the result of a conference initiated by then-UN and Arab League envoy Kofi Annan and attended by the United States, Russia, China, and Britain—was stillborn, primarily because of disagreements over the status of Assad and the definition of what a “transition” to a more representative government would entail. The follow-up Geneva conference, in 2014, collapsed mainly over a dispute about whether Iran should attend. The parties must now restart those talks, avoiding ultimatums, exclusions, or bottom-line demands about Assad’s status, even as they try to narrow their disagreements over what a workable transition would mean in a country now devastated and deeply traumatized by civil war.

In his UN speech this September, Putin may have sounded bellicose in his insistence on the legitimacy of the Assad regime, but that posture obscures longstanding Russian indications that the fate of Assad is less important than the need to ensure that any transition results in stable governance. Putin is correct in pointing out that the violent removal of dictators without retaining some functioning government structures to replace them—as with Gadhafi in Libya and Hussein in Iraq—has led to regional chaos and extremism. On the other hand, Obama is surely correct in his insistence that the Assad regime’s brutality “is not just a matter of one nation’s internal affairs—it breeds human suffering on an order of magnitude that affects us all.” And it’s certainly reasonable for Obama to call for “a managed transition away from Assad and to a new leader, and an inclusive government.”

The parties to a new peace conference must focus on creative ways to bridge that divide, even as they pursue other steps to de-escalate the conflict. Those interim steps should include support for local cease-fires, like the one recently agreed to in Zabadani and Idlib province. A second step should be deeper cooperation among all nations in stemming recruitment by jihadi extremists, in particular ISIS. A third step is an arms embargo, preferably one agreed to by the UN Security Council. That may seem a distant possibility now, given Russia’s recent

steps to buttress its military base in Latakia and increase the flow of arms to Assad’s government, not to mention the continued supply of weapons to rebel groups, whether moderate or jihadi. But an embargo agreed to by Washington, Moscow, and the other P5 nations, as well as the Gulf monarchies, Iran, and Turkey—and applied to all parties, rebels as well as government forces—is an eventual necessity.

It is time for the White House to commit itself to a more serious working relationship with Moscow. Washington must not only reorient its activities from military action to diplomacy; it must also strive to work out an agreement with Russia in which both parties press their allies in the region to de-escalate the conflict. Washington should put its regional allies on notice that the United States will no longer turn a blind eye to the continued support by Turkey and the Gulf states to extremist groups that threaten both Syria and Iraq. The White House should also stand up to the belligerent demands for military action by the Republicans as well as some Democratic hawks, and instead respond affirmatively to the letter from Connecticut Representative Jim Himes, along with more than 50 other members of Congress, calling on President Obama to lead diplomatic efforts in reaching a negotiated end to the civil war while forging a coordinated campaign against ISIS.

Some will object that this course of action risks proping up the Assad regime and alienating our Sunni allies as well as Sunnis on the ground. But every effort should be taken to give Turkey, Saudi Arabia, and other Gulf states the opportunity to participate. And every effort should be made to lay the groundwork for an eventual settlement that would bring about a broader, more inclusive Syrian government. Given the depth of Syria’s destruction, a final settlement may require a robust UN peacekeeping force, similar to what was used in Cambodia and Bosnia.

As we should have learned over the past four years, making inflexible demands has only produced more extremism, more war, and more tragedy for the region. It is time to try the other road. ■

Opus Day

Pope Francis isn't radical, but his message is.

There was nothing radical about Pope Francis’s reminder to Americans that a nation of immigrants should “care for the immigrant.” Or about his statement that members of Congress have a responsibility “to defend and preserve the dignity of your fellow citizens in the tireless and demanding pursuit of the common good.” And there certainly wasn’t anything radical about his declaration that “climate change is a problem which can no longer be left to a future generation.”

But the pope’s September 24 speech to Congress took a radical turn when he declared: “In these times when social concerns are so important, I cannot fail to mention the Servant of God Dorothy Day, who founded the Catholic Worker Movement.” During her decades of advocacy

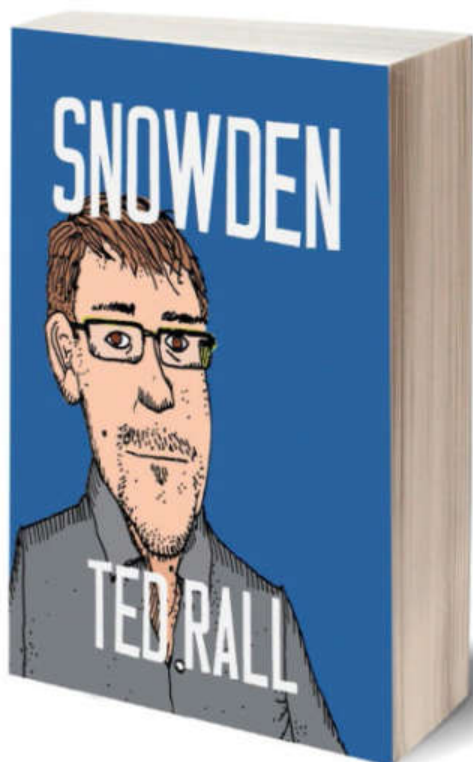
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Volkswagen On Its Back

As the scale of Volkswagen's emissions-control deception set in, *Adweek* observed that the company had "just squandered 55 years of great advertising," starting with its famous "Lemon" ad. The ad (below) boasted: "This Volkswagen missed the boat. The chrome strip on the glove compartment is blemished and must be replaced. Chances are



you wouldn't have noticed it; inspector Kurt Kroner did." The ad describes a level of meticulousness that consumers couldn't help but trust—certainly not the sort of company that would develop an emissions-rigging device to hide in your car.

Volkswagen continued to build goodwill throughout the 1960s by fostering, in the words of writer Thomas Frank, "a hip



consumerism driven by disgust with mass society itself." The clever ads and anti-consumerist vibe earned the company an enduring place in its customers' hearts: Volkswagen produced more cars between January and June of this year than any other automaker—5.05 million, to be exact.

Whether the largest emissions scandal in history causes Volkswagen's loyal customer base to bug out remains to be seen.

in the 20th century, when she made common cause with pacifists, socialists, trade unionists, and civil-rights activists, Day argued that "some other vision of society must be held up" as an alternative to an economic system that allows so much poverty to exist in the midst of plenty. Long before Occupy Wall Street, Day made the moral and practical case for an "economy based on human needs rather than on the profit motive."

Francis didn't embrace the whole of Day's vision, which also called for "the ultimate owning by the workers of their means of production"—just as progressives who share the pope's climate concerns will not embrace the whole of his vision on social issues. But the pontiff's decision to link Day's name to the discussion about the "distribution of wealth" that he seeks to encourage in the United States was a dramatic stroke. Vermont Senator Bernie Sanders got it, hailing the mention of a Catholic Worker Movement that "protected the poor, organized workers and stood up to the wealthy and the powerful." None of these pursuits should be considered particularly radical, of course. But the fact that political discourse in the United States might finally entertain practical and moral debates about the equitable distribution of wealth is a radical—and necessary—step in the right direction.

JOHN NICHOLS

What Will VW Pay?

Volkswagen cheated and lied—11 million times.

When Volkswagen, maker of the humble Beetle, first found a home deep within the American psyche in the decades after World War II, it presented itself as an automotive brand apart. In a sea of chromium excess and Detroit tail-fin profligacy, the German carmaker stood for values like conservation, thrift, and modesty. Born of the austerity of pre- and postwar Europe, the company's name meant simply "People's Car." But in that peculiarly American place where progressivism and puritanism meet out back in the parking lot at the mall, the Beetle's perceived honesty and friendly minimalism placed it at the center of a powerful and enduring consumer movement, one that has bordered on religiosity. For a sense emerged of Volkswagen the company as fun, fair, and caring. Another century's Apple, it captured the hearts and prized open the wallets of many a well-meaning, planetarily aware citizen, and did so through seven decades, into our own times. Not unrelatedly, VW has for the first time sold more cars than any other company in the world in 2015, passing General Motors and Toyota.

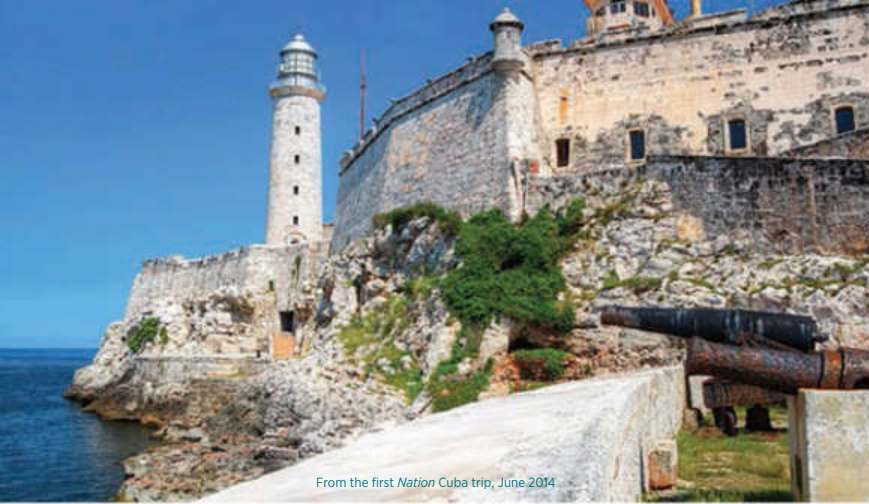
But then things changed—abruptly. On September 20, the fabled firm from Lower Saxony was

forced to admit that it had misled its customers with its narrative of "clean" diesel cars. Indeed, Volkswagen had brazenly broken the law when it cooked up a super-sneaky software fix for its smaller cars to make it appear to Environmental Protection Agency emissions testers that the diesel-powered models sold by VW in the United States from 2009 to 2015—some 482,000 cars—were considerably less polluting than they actually were. A "defeat device" placed into the software of VW and Audi models with four-cylinder diesels—a hack only recently uncovered by a university lab in West Virginia while conducting independent tests—temporarily lowered the emission of regulated oxides of nitrogen (NOx) to acceptable limits. But the tweak had a sinister nature: The reduction happened only during that exceedingly rare moment—once in a car's lifetime—when it might randomly undergo testing. For the rest of their service lives, however, these diesel cars might spew up to 40 times the legal limit of NOx, a compound implicated in the creation of ozone and smog and linked to asthma and emphysema.

One day after the company's announcement that it had perpetrated this elaborate fraud, with millions shocked and appalled, Volkswagen revealed new depths to its perfidy. Catching the bad publicity wave head-on, VW announced that its official count of illegally programmed, overpolluting cars had actually increased 2,300 percent—from 482,000 to 11 million units, not confined to the United States but spread around the world. Conceding guilt, the carmaker announced that it had already earmarked 6.5 billion euros to fund future payouts related to the debacle. Then, cutting to the chase, VW offered that among its new legal representatives henceforth would be the American law firm Kirkland & Ellis, which recently worked as the defense team for BP following the Deepwater Horizon blowout.

The Guardian has estimated that VW's secret excess NOx emissions since 2008 could be as high as 1 million tons per year. Over all those years—a period when VW diesels were being aggressively marketed as the perfect vehicle for car owners looking to conserve oil and minimize their carbon footprint without sacrificing performance—these very same engines emitted as much NOx as all of Britain's other auto, power, industrial, and agricultural sources combined. Few owners who'd purchased their Volkswagens for green-minded reasons appreciated the irony; they're hopping mad, and so is the US government. But while Volkswagen's shame is great—as is its liability—history suggests that the company's demise is not imminent.

For breaking federal emissions law, Volkswagen is potentially liable for as much as \$37,500 per each occurrence, or a grand total of \$18 billion in possible fines in the United States alone. It's an astonishing sum—and fair punishment, one might argue, for such a willful and egregious offense. And



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YOUR HOSTS

Sujatha Fernandes



Sujatha Fernandes is a professor of sociology at Queens College and the CUNY Graduate Center. Her first book, *Cuba Represent!*, looks at the forms of cultural struggle that arose in post-Soviet Cuban society. Her most recent book, *Close to the Edge*, grapples with questions of global voices and local critiques in hip-hop, and the rage that underlies both. Fernandes has been published in both academic journals and popular forums, including *The Nation*, *The New York Times*, *American Prospect*, and *Dissent*.

Charles Bittner



For almost two decades, Charles Bittner has served as *The Nation's* academic liaison, representing the magazine and organizing panels at academic conferences throughout the country. He has hosted four previous *Nation* trips to Cuba and teaches in the sociology department at St. John's University.

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Estimated total, in tons, of additional nitrous-oxide emissions from Volkswagen cars equipped with the “defeat device,” which the company used to circumvent emissions limits

\$18B

Total fines to which Volkswagen may be subject in the United States

\$300M

Largest-ever penalty for violations of the Clean Air Act to date

\$36B

Loss to VW’s market value due to decreasing stock prices during the week of the scandal

\$67M

Value of the “golden parachute” in ex-Volkswagen CEO Martin Winterkorn’s contract, though this may be reduced after an internal investigation

with private lawsuits and other fines, along with recovery actions brought by foreign governments, it should be just the start of the company’s punishment.

But in the current enforcement climate, fines of such bankrupting magnitude will never come to pass. There is no such thing as capital punishment for a capitalist enterprise gone fatally wrong. Both of the world’s other largest automakers have been exposed in the last two years for deliberately (and lethally) lying to government regulators and the public about their products—with little in the way of lasting consequences. No one went at General Motors went to prison for actually killing dozens (and possibly over 300) innocent people with faulty ignition switches and then covering it up; the fine was a measly \$900 million. A year earlier, after serially lying to regulators and failing to report a pattern of so-called runaway acceleration events, Toyota paid an only slightly less affordable fine of \$1.2 billion—with no hard time for anyone in either case. To be sure, the firms will also pay out huge recall expenses and additional billions in settlement money to private claimants. That may sound like a lot, but in the trillion-dollar auto industry, it isn’t.

Still, it’s hard to know where to start with Volkswagen. Typical behavior has automakers engaged in the disappointing but perfectly legal task of helping regulators write the rules by which they will be regulated. Often, this leads to the adoption of soft standards, ones that the companies know they will easily meet. The process is readily perverted, but at the end of the day at least there’s some regulation, and observing it constitutes playing by the rules. Volkswagen not only failed to play by the rules; it arrived at the starting block with an intention to cheat, deliberately scheming to sidestep a clean-air regulation that was already lax in order to trim costs. (The allegations against the company, in a nutshell: Volkswagen has installed an urea-injection system to make its six-cylinder diesels meet emissions standards—and while the same system could have been installed in its four-cylinder diesels to achieve compliance, the company decided instead to skip the fix for its smaller, cheaper cars and then cover up evidence of the deficiency with the help of code writers gone wild.) The method, the means, and the motive are all clear. So what now?

Volkswagen has apologized. The corporation’s share price has wilted. The national mood in Germany is one of deep mortification, as consumers from Hong Kong to Hastings-on-Hudson vent angrily, dragging the brand down. Still, it seems safe to venture that Volkswagen will eventually recover. Even more than American lawmakers, who saved GM and Chrysler with little hesitation when the bottom fell out, German politicians would never dream of letting their nation’s largest automaker and its biggest employer go under.

Heads needed to roll nonetheless. CEO Martin Winterkorn resigned on September 23, and several other executives were suspended. Though he has claimed utter surprise, Winterkorn’s eight years at the helm completely dovetail with the period in question, likely making him one of many dozens or hundreds who must have been in on the hatching and execution of VW’s diesel caper. At the very

least, he is certain to never work in the automobile industry again, which is one of the things that must make him grateful for the \$66.9 million farewell package specified in his contract. Although his replacement, Matthias Müller, has already sought to push the blame downward, calling out the “unlawful behavior of engineers and technicians involved in engine development,” Volkswagen has initiated its own formal investigation, which will determine in part how much Winterkorn walks away with. But of greater importance may be the investigation by German prosecutors.

For now, criminal prosecutions, lawsuits, class actions, dealer collapses, customer rebates, marketing campaigns, message advertising, and attempts to deal with the loss to reputation and company valuation, as well as losses from diminished trade-ins and lease residuals—all are being expensively prepared and set in motion, in each of the umpteen jurisdictions where Volkswagen has soiled itself. It’s a long road back, but one day it will all be a memory. Along the way, however, we are sure to be reminded of a few facts: For example, this isn’t the first time that Volkswagen has fudged regulatory testing—it was fined as far back as 1973 for doing so, as was General Motors in the 1990s. Inevitably, we’ll learn that Volkswagen is not alone, and that its crimes are the tip of the iceberg. With the computer controls found in today’s cars, any major car manufacturer or its suppliers might fudge a car’s emissions profile, especially if no one is looking. The problem is self-certification: It doesn’t work.

Like clean coal, clean diesel isn’t clean enough and never will be. Until we’re not burning fossil fuels at all, cars are too polluting. In the meantime, all long-running exemptions from emissions requirements for diesel and other fuel oils being used in all kinds of heavy equipment, off-road machinery, and even steamships should be called out as the heinous errors in judgment they are and immediately corrected.

We really ought to start holding corporations and their officers liable for crimes. Why is prison’s deterrent effect so thoroughly overlooked for the executive class? When it comes to corporations, society has a surprising amount of mercy. Mistakes, misdeeds, and even acts of pure evil are forgiven and forgotten. Consider the experience of Volkswagen itself. It has already managed to live down its role as an engine of the Third Reich, using slave labor from concentration camps during World War II, only to make its name on the Beetle, a design stolen from Josef Ganz, a Jewish engineer who was subsequently run out of Germany by the Nazis, then prevented from sharing in the model’s success and written out of the official histories. More recently, the 1960s Beetle shared many of the worst safety properties of the Corvair decried by Ralph Nader. It had already been fined for trying to hoodwink the EPA.

Yet, somehow, we remember Volkswagen fondly. For large swaths of America’s thinking classes, the German automaker recently became Shoeless Joe Jackson of the 1919 Chicago Black Sox, minus the mitigating circumstances. Say it ain’t so, Volkswagen, they cried. But, folks, it can’t. Because it is so and it always was. **JAMIE LINCOLN KITMAN**

Jamie Lincoln Kitman, a lawyer, is the New York bureau chief for Automobile magazine and a blogger for NPR’s Car Talk.

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A SPECIAL PLACE
IN HELLWomen
Against
Feminism

Carly Fiorina has claimed that her election would represent a big step forward for American women. And yet...

"Over the years, feminism has devolved into a left-leaning political ideology where women are pitted against men and used as a political weapon to win elections."

—Fiorina, in a speech at the Competitive Enterprise Institute

"If Hillary Clinton were to face a female nominee, there are a whole set of things that she won't be able to talk about.... She won't be able to talk about a war on women without being challenged. She won't be able to play the gender card."

—Fiorina, speaking to reporters in April

"Being empowered means having a voice. But ideological feminism shuts down the conversation—on college campuses and in the media."

—Fiorina, at the CEI

"It is time to declare the end of identity politics."

—Carly for President



Eric Alterman



Ailes Wins Again

The debate champion is the man whose lies are the most effective.

You may have heard that Carly Fiorina won the September 16 CNN debate and has since entered the "top tier" of Republican presidential candidates. Well, for now that's true, but in the long run, the true winner will be the same guy who won the August 6 Fox News debate and is winning pretty much every political debate we have in this country these days: Roger Ailes.

Allow me to explain. Ever since Ailes founded Fox News in 1996 (with Rupert Murdoch's money), the station has served as a propaganda arm and ideological enforcer for the Republican Party, even as it pretends to be a news network. Its broadcasts ignore reality whenever convenient, preferring to purvey whatever misinformation and/or ideological obfuscation serve Ailes's strategic and financial purposes. Because the network's loyal viewers believe whatever nonsense it broadcasts, and because they happen to be the conservative movement's most dedicated activists, Republican politicians have no choice but to pander to them. Members of the political media are therefore faced with a choice: expose the nonsense or try to imitate it. Alas, most of them—or at least their bosses—took a look at the billions of dollars that Ailes and company rake in and, well... money talked.

The degree to which CNN prostituted itself to the Republican Party during the debate would be shocking had this frog not been slowly boiling for over a decade. To earn the right to charge advertisers 40 times its normal rate for a program that reached a record 23 million viewers, CNN executives agreed to allow the deranged right-wing radio announcer Hugh Hewitt to help steer the debate. One imagines they also instructed their own host, Jake Tapper, to invite the candidates to lie with impunity, because no self-respecting journalist would have allowed himself to be part of such a degrading performance unless specifically ordered to do so.

It would take an entire issue of this magazine merely to catalog the falsehoods that Tapper and Hewitt let slide that night. They ran the gamut, from national security to economics to vaccination to climate change to immigration.

For example, George W. Bush did not "keep us safe," and it was his administration, not Obama's, that ensured both the US exit from Iraq and the growth of the Islamic State (ISIS). The Iran deal does not rest on self-inspection, and Iran did not invite Russia into Syria. Vaccinations do not cause autism. Climate change is not in doubt, and attempting to address it would not "destroy" the economy. Undocumented immigrants do not cost taxpayers \$200 billion a year. Social Security is not going insolvent. Hillary Clinton is not being investigated because she "destroyed government records." Believe me, I could go on (and on). These lies, half-truths, and outright crazy statements were so stupid as to be offensive to common sense. And yet, because Tapper and Hewitt chose not to challenge them, CNN was not only not supporting democratic debate but actively undermining it.

True, many media institutions did run postgame "fact-checks," but these same institutions ignored them when the time came to tally up the score. Hence, Fiorina was chosen as debate champion because her lies were considered to be the most effective. According to *The Washington Post's* Karen Tumulty, "pretty much everyone agreed that [Carly] Fiorina...had won the evening." The paper's political handicapper, Chris Cillizza, picked her "emotional call to a higher moral authority when talking about Planned Parenthood" as "the most affecting moment of the debate."

Yet neither Tumulty (who won a 2013 prize for "Excellence in Political Reporting") nor Cillizza (whose "Mouthpiece Theatre" series with *Post* colleague Dana Milbank once suggested that Hillary Clinton should be served a bottle of "Mad Bitch Beer") thought it important to note her transparent dishonesty.

The New York Times's front-page lead story also celebrated Fiorina as "a credible antidote to



Thanks to Roger Ailes's genius, the GOP primary is a parade of liars, xenophobes, misogynists, and (let's face it) lunatics.

the gender gap and the Democrats' claims of a Republican 'war on women.'" A reader had to wade through more than 1,200 words of fluff before learning that the "most affecting moment" staged by this "credible antidote" was a brazen lie. There is no evidence in the secretly taped Planned Parenthood videos of "a fully formed fetus on the table, its heart beating, its legs kicking while someone says we have to keep it alive to harvest its brain." As the story mentions in passing in paragraph 23, "The video that Mrs. Fiorina seems to be referring to does show a still image of a fetus being held outside the womb. But it is not seen squirming as Mrs. Fiorina describes, nor is there any indication that it is about to have its brain removed." (Her foreign-policy pronouncements were even more objectionable... if that's possible.)

Tapper dived so deeply into the right-wing Republican waters, he swam in their xenophobia as well. How

else to describe his use of the term "illegal immigrants," a phrase that's loaded with conservative assumptions about who is and is not welcome in this country?

Most depressing of all, Tapper found himself celebrated in the mainstream media for his failure. Ira Glass tweeted: "What a great job getting candidates to talk to each other. A model. Respect." Bob Woodward used his first tweet ever to announce: "@jaketapper soared as the New Boss in the #gopdebate, asserting his authority and making vividly clear his political neutrality."

The fellow sipping the Champagne, however, should be Roger Ailes. Thanks to his genius, the Republican presidential primary is a parade of liars, xenophobes, misogynists, and (let's be honest) lunatics. And the leading lights of American journalism don't merely enable them; they cheer them on. Like victims of the so-called Stockholm syndrome, they'd rather switch than fight. Too bad it's our democracy that's really being tortured. ■



"Unfortunately, only when the poor enter the halls of the rich do the rich notice that the poor exist."

@ProPublica, quoting the UN high commissioner for refugees in a Reuters article

SNAPSHOT/BEAWIHARTA

The Burning Season

As a thick haze of smoke shrouds the Musi River, students on the Indonesian island of Sumatra make their way to school. Indonesian authorities arrested executives from seven companies responsible for setting forest fires to clear the land for palm-oil and pulp plantations.



REUTERS

THE POPE'S VISIT

Calvin Trillin
Deadline Poet

Pope Francis came and Yogi went—
The latter up toward heaven sent.
The pope seemed humble as that Yankee—
He almost said, "Just call me Frankie."
But critics say that it's a shame
That Catholic doctrine stays the same.
They say, "We like this humble stuff,
But being humble's not enough."

BACK ISSUES/1906

The Smoldering Flame

Douglas Foster writes in this issue about the rise of drug-resistant tuberculosis and the "global class divide in medicine." That divide was also evident during the initial explosion of the disease following the Industrial Revolution. In a 1906 article in these pages, *Nation* editor Hammond Lamont wrote that one problem preventing the eradication of tuberculosis was "securing a sufficient number of tenements...constructed as mere business ventures." This was unfortunate, because "when the landlord has his eye first of all on gain, he will, in spite of inspectors, 'scamp' his plumbing. This is the strongest argument offered by advocates of municipal housing for the poor—that the only safeguard against tuberculosis and other maladies is a landlord who can and will set



sanitation above everything else."

The way to slow the spread of tuberculosis, Lamont concluded, was "to furnish for the imperilled poor a supply of nourishing food and good housing on a scale hitherto unknown."

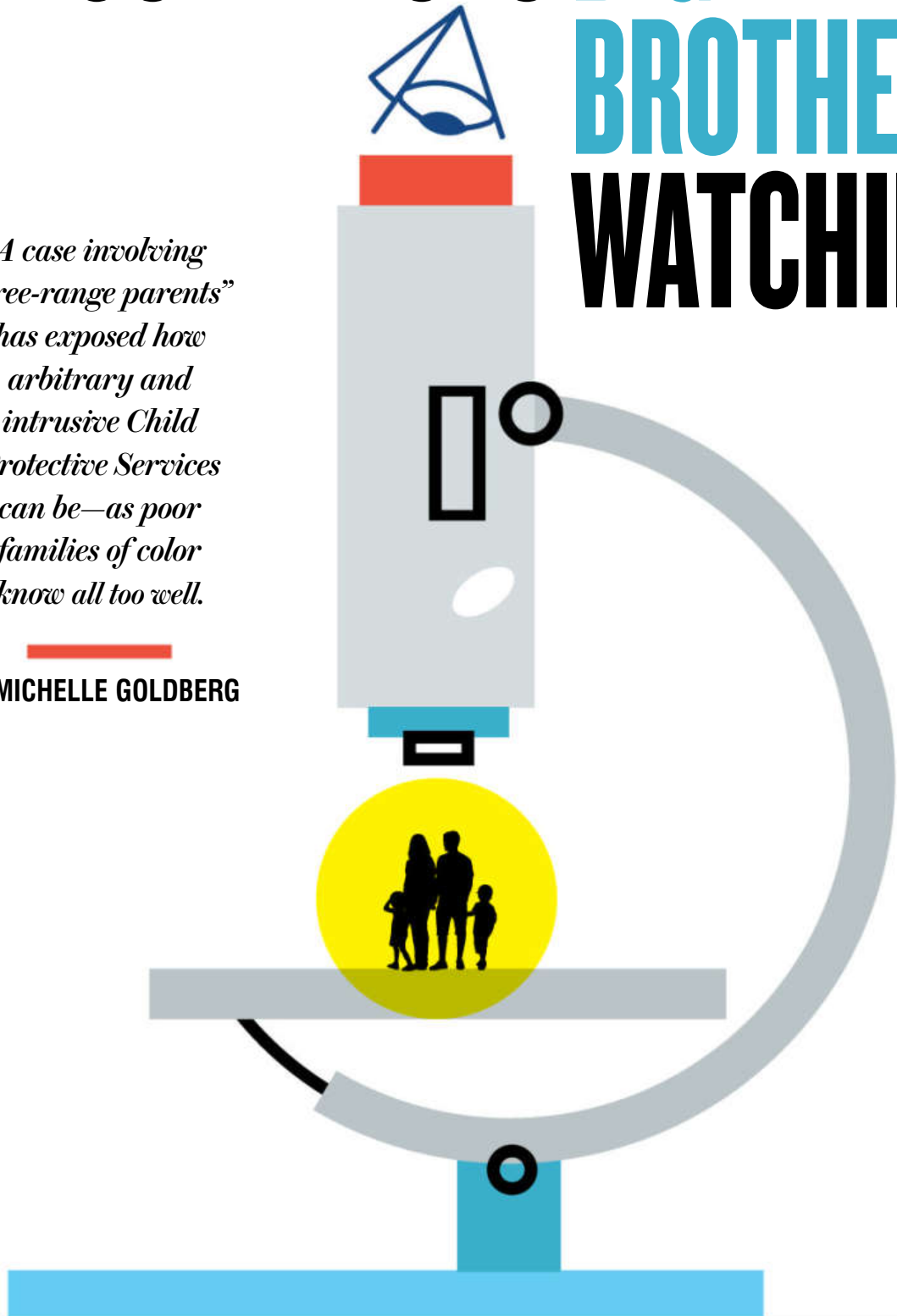
Streptomycin, a drug used to treat tuberculosis, was discovered in 1943. Early the following year, Dr. Martin Gumpert, a New York physician, wrote in *The Nation* that "the ability to extinguish...a smoldering flame so destructive to mankind" would be "a truly heroic goal for the community of man...whatever the political future of the world."

—Richard Kreitner

WHOSE KIDS IS **BIG** **BROTHER** **WATCHING?**

*A case involving
“free-range parents”
has exposed how
arbitrary and
intrusive Child
Protective Services
can be—as poor
families of color
know all too well.*

by MICHELLE GOLDBERG



ON JULY 29, 2013, A LATINA MOTHER IN ILLINOIS named Natasha Felix sent her three sons, ages 11, 9, and 5, out to play with a visiting cousin, a young girl, in a fenced park right next to her apartment building. The oldest boy was charged with keeping an eye on his siblings, while Felix watched them all from the window. While they were outside, a local preschool teacher showed up at the park with her class. She saw the 9-year-old climb a tree. Felix's youngest son fought with his cousin over a scooter and, at one point, ran with it into the street. Based on this, the teacher called the child-abuse hotline, and Felix received a visit from the Department of Children and Family Services.

According to legal filings in the case, the investigator, Nancy Rodriguez, found that Felix's kids "were clothed appropriately, appeared clean [and] well groomed," and that Felix "appeared to be a good mother." Felix's oldest son seemed like a "mature young boy" who "certainly could be allowed to go outside by himself to the park next door."

However, when Rodriguez asked Felix if the boys had any special needs, Felix replied that the 11-year-old and the 9-year-old had been diagnosed with ADHD. On the advice of their doctor, they were off their medications for the summer. Rodriguez later wrote that "based on the mother not knowing that the kids were running into the street with the scooter, based on the children having ADHD," she recommended that Felix be cited for "Inadequate Supervision" under the Illinois Abused and Neglected Child Reporting Act. As a result, Felix was placed on the state's child-abuse registry, which led to her losing her job as a home healthcare aide and ended her dreams of becoming a licensed practical nurse.

"She's been devastated," says Diane Redleaf, executive director of the Family Defense Center, who is representing Felix before a state appeals court. "I've been talking to her about how this impacted her, and it's heartbreaking. She couldn't send her son to take the garbage out—she was afraid to do that."

Earlier this year, a Maryland couple, Alexander and Danielle Meitiv, made international news after two run-ins with Child Protective Services, sparked by their decision to let their children, ages 10 and 6, walk to neighborhood parks by themselves. As self-described "free-range parents," the Meitivs are committed to giving their kids freedom from constant adult oversight. According to an interview with Danielle in *Psychology Today*, after the second incident, a social worker demanded that Alexander sign a "temporary safety plan" saying that his children would be supervised at all times until CPS could do a follow-up. When he balked, the social worker threatened to have the children taken away from him immediately and called the police. The couple were ultimately found "responsible for unsubstantiated child neglect," which Danielle calls "an Orwellian judgment," adding that their lawyer describes it as "legal purgatory," because it seems to be meaningless in

“She’s been devastated. She couldn’t send her son to take the garbage out—she was afraid to do that.”

—Diane Redleaf on her client, Natasha Felix

Michelle Goldberg is a senior contributing writer and the author of The Goddess Pose: The Audacious Life of Indra Devi, the Woman Who Helped Bring Yoga to the West.

plain English, yet it's like a cloud hanging over our heads."

The Meitiv case was highly unusual, but not because of the arbitrariness or overreaction of CPS. It was unusual because the Meitivs are white, affluent, and highly educated: He's a theoretical physicist, and she's a science writer and consultant. "I've worked in this field for 35 years, and I can't remember when child-welfare cases like this have been in the news," says Redleaf. "We've been trying and trying to get that to happen."

Advocates for families caught up in the child-welfare system hope that the national debate sparked by the free-range parenting movement will draw attention to the threats and intrusions that poor and minority parents endure all the time. Child-neglect statutes, says Martin Guggenheim, a New York University law professor and codirector of the school's Family Defense Clinic, tend to be extremely vague, giving enormous discretion to social workers. "The reason we've tolerated the level of imprecision in these laws for decades," he notes, "is that they tend to be employed almost exclusively in poor communities—communities that are already highly regulated and overseen by low-level bureaucrats like the police. For somebody like me, the 'free-range' cases that are hitting the paper today are a dream come true, because finally people who otherwise don't care about this problem are now calling out and saying, 'Aren't we going too far here?'"

Indeed, several recent incidents in which poor women of color have been arrested for their entirely rational parenting decisions have received national attention, though not as much as the Meitivs' case. In July, Laura Browder of Houston was arrested for child abandonment after bringing her kids, ages 6 and 2, to a food court and leaving them there—never out of her line of sight—while she interviewed for a job 30 feet away. A year earlier, Debra Harrell of South Carolina was arrested for letting her 9-year-old play alone in a park while she worked her shift at McDonald's.

"Certainly, prior to this, I don't think most white people knew very much about the child-welfare system, or were afraid that someone was going to knock on their door and say, 'Let me see your kids,'" says Dorothy Roberts, a University of Pennsylvania law professor and the author of *Shattered Bonds: The Color of Child Welfare*. "Whereas in black neighborhoods, especially poor black neighborhoods, child-welfare-agency involvement is concentrated, so everybody is familiar with it."

In a July article for Al Jazeera America, Peggy Cooper Davis, an NYU law professor and former Family Court judge, highlighted the devastating effects that arbitrary decisions by CPS and similar agencies can have on black families. "I think of a devoted father whose child was removed from his care because a \$5 bag of marijuana was found in his room by staff of the shelter where father and child were living," she wrote. "I think of mothers who lost custody of their children because the mothers themselves had been subjected to domestic abuse."

Yet progressives have not, in general, seen CPS as worthy of the same suspicion as other forms of law enforcement. ("Child Protective Services" tends to be

used as a catchall term for child-welfare agencies, though different states use different names.) “I don’t often hear people relate police arbitrariness and child-welfare-authority arbitrariness,” says Davis. “It would be useful to relate them, for they often have to do with similar kinds of biased presumptions having dreadful effects in stressful situations.”

THIS VIEW, OF COURSE, IS HARDLY UNIVERSAL AMONG EXPERTS: THERE are still those who defend CPS as a progressive institution. Among them is Elizabeth Bartholet, a Harvard Law professor and faculty director of the school’s Child Advocacy Program. Although Roberts once worked as Bartholet’s research assistant, today they represent opposite poles in the debate. Bartholet, a white woman who formerly worked for the NAACP Legal Defense Fund, calls her opponents “extreme family preservationists” who are “putting kids at risk by insisting that, at almost all costs, they stay at home” with abusive or neglectful parents. She maintains that anecdotes about outrageous CPS intrusions are outliers: “More people need to think about all these issues from the point of view of the child. Imagine an infant or a toddler growing up in a household where they’re being tortured, being beaten, being locked in a closet, left on the floor to scrounge around for whatever food they can find. That happens all the time. Kids are removed from those houses and put right back.”

These things do happen. At the same time, in the majority of cases in which kids are taken from their families, the grounds are neglect, not physical abuse (though, as Bartholet points out, sometimes physical abuse is suspected, but only neglect can be proved). Usually, drugs are involved. “Overwhelmingly, something like 70 to 90 percent of cases in the child-welfare caseload are characterized by parental substance abuse, drugs, and/or alcohol,” Bartholet says. To her, that’s not an indictment of the system, because she believes that people who use drugs, particularly during pregnancy, should not be allowed to parent. As she wrote in a *Boston Globe* op-ed last year, “Massachusetts should test all children to assess whether there is prenatal drug or alcohol exposure. It should require substance-abusing parents to engage in rehabilitative treatment if they want to keep their children. It should place at-risk children in homes where they can be adopted if the birth parents can not comply with the treatment regimen.”

For Roberts, who is black, Bartholet is far too cavalier about the costs of separating parents and children, in some cases permanently. “It is appalling to devalue the bonds that black children have with their families in the way that Bartholet does,” she says.

Whatever you think of parents who use drugs, it’s clear that poor parents and parents of color are held to a very different standard than middle-class white parents. “My daughter broke her collarbone twice when she was a young child,” says Guggenheim. “I took her to the same hospital, and the second time I brought her they treated me with great dignity and respect. If I were in Bed-Stuy and a single parent, [CPS] might have come to my door, they might have found some joints on my nightstand and taken my child, and I would be lucky if, 12 months later, I got her back in my custody. That’s how I live my white privilege every day. And they would have found joints on my night table, let’s be clear about that.”

The treatment of parents in the child-welfare system used to have greater salience among civil libertarians, but it was overshadowed by the very real imperative to protect

children from abuse in their own homes. Guggenheim was a staff lawyer at the ACLU from 1976 to 1980, doing work to challenge “the vagueness of neglect and termination-of-parental-rights laws.” But toward the end of his time there, he says, the organization began to shift from protecting the rights of parents to their children to protecting children from their parents. The children’s-rights advocate Marcia Robinson Lowry came aboard in 1979. For a few months, she and Guggenheim worked together, but “her agenda was to support state intervention,” he says, “and mine was to limit it.” So he resigned. (In 1995, Lowry left to form a separate organization called Children’s Rights; after her departure, the issues surrounding family law largely fell off the ACLU’s agenda.)

Meanwhile, the right of parents to raise their kids free of government intrusion has become a cause célèbre for conservatives. Christian fundamentalists regularly demonize Child Protective Services; homeschooling activist Michael Farris even wrote a thriller, *Anonymous Tip*, about CPS’s evil child-snatching machinations. And Republican Senator Mike Lee of Utah recently added a “free-range kids” provision to the reauthorization of the Every Child Achieves Act, a federal law funding elementary education. Lee’s amendment says that parents cannot be subject to civil or criminal charges for letting their kids walk or bike to school at whatever age they deem appropriate.

Yet at a time when the left is increasingly attuned to state-sponsored surveillance and the abuse of people of color, the progressive case for parents’ rights is worth taking seriously. “More and more, I see the hashtag #abolish fostercare,” says Roberts. “Not as much as #abolishprison, but I think there’s a growing awareness about these connections. I certainly try in my own writing and advocacy to emphasize the connections between prison, foster care, and the welfare system. They’re all very much connected historically in terms of who is in these systems and who is punished—the myths about people in these systems.”

“More and more, I see the hashtag #abolish fostercare.”

—Dorothy Roberts



EMMMA KETTERINGHAM, MANAGING DIRECTOR OF THE family defense practice at New York’s Bronx Defenders, which represents low-income people in both criminal and civil cases, lives in Park Slope, Brooklyn—the “mecca of parenting,” as she calls it. In her neighborhood, she sees a wide range of parenting styles and philosophies, from free-range to helicopter. “In that community, differences in parenting style get the raise of an eyebrow or a disapproving look from a neighbor or a classmate’s parent—for some of the exact same things I see my clients being brought to Child Protective Services for,” she says.

Part of the issue lies in mandatory reporting. Almost all states have laws on the books requiring professionals who come into contact with children—teachers, nurses, doctors, social workers, and the like—to report suspected cases of abuse. As of 2013, 18 states and Puerto Rico require anyone who suspects child abuse to report it. In most states, there are criminal penalties for those who have reason to believe abuse is taking place but say nothing—and those who make abuse claims that turn out to be unfounded generally have immunity.

On the one hand, there’s broad agreement that people

who witness a child being hurt should report it. But when it comes to who is being reported, and for what, both race and class are inescapable pieces of the equation. “Doctors are more likely to think and suspect child abuse in the case of black parents,” says Roberts. She cites a *Journal of the American Medical Association* study which found that “minority children...with accidental injuries were more than 3 times more likely than their white counterparts to be reported for suspected abuse.”

Determining neglect is even more subjective. “These are situations in which, in many respects, it’s driven by community norms: What do people believe is appropriate child-rearing?” says Fred Wulczyn, a senior research fellow at the University of Chicago’s Chapin Hall and director of the Center for State Foster Care and Adoption Data. “Which is what makes this such a dicey issue.”

According to Jessica Carter, for example, CPS visited her in 2008, while she was living in a suburban Seattle apartment complex. A white woman married to a Puerto Rican man, Carter was a mother of two at the time. An anonymous caller had accused her of leaving her infant son at home while she went out and about the building. She suspects a busybody neighbor reported her after seeing her run downstairs to collect her mail while her son napped in his crib.

Carter’s son was asleep when the CPS worker arrived, and his bedroom door was closed. This, the worker warned Carter, was unacceptable. The worker “told me that CPS’s stance is that I should have eyes on the child at all times,” Carter says. When she objected, saying that this would be impossible, the CPS worker accused her of failing to take matters seriously. “I was terrified I was going to lose my children,” Carter recalls. “I was so scared she was going to come back and remove them, I completely changed the way I parented for a really long time.”

The charges against Carter were ultimately dismissed as unfounded. Even so, when she got her certified nursing assistant’s license, she had to alert the licensing board that she’d been investigated for child neglect.

LOWRY, WHO NOW HEADS AN ORGANIZATION CALLED A Better Childhood, insists that the problem with most child-welfare systems isn’t that they’re overzealous, but that they’re incompetent. “I used to think it leaned one way or the other,” she says. “Now I just think it’s not well run. The decision-making is not careful, and there’s no sense of urgency in getting children back to families or, if they need it, into new families.”

In July, Lowry filed a lawsuit against New York City’s Administration for Children’s Services to force it to act faster in finding permanent homes for kids. One of the plaintiffs is 3-year-old Thierry E., who was taken from his mother almost two years ago, after she called a domestic-violence hotline about her abusive husband, on the grounds that her husband might hurt the boy as well. (The child’s race isn’t specified in the lawsuit, and Lowry declined to provide it.) “There was not and never has been any allegation that anyone abused Thierry E. or that his mother failed to provide him with appropriate, loving care,” the suit maintains. He was placed with a foster mother who

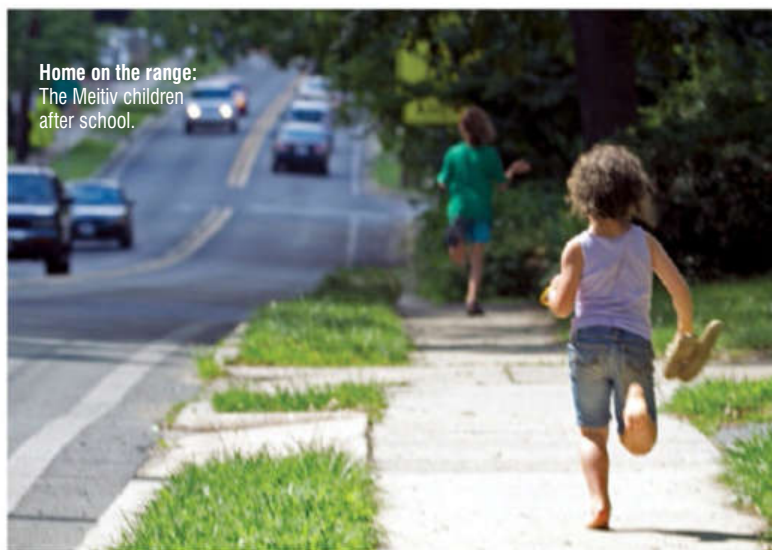
spoke only Spanish, a language he didn’t understand. His mother, a schoolteacher, is no longer with her abuser and has been desperately trying to get her son back for 21 months—so far without success. “At the end of his twice-weekly visits with his mother, he cries uncontrollably,” the suit continues. “When his mother expressed concern at this behavior, Thierry E.’s therapist told her that he had to ‘get used to it because this was his life now.’”

Lowry’s suit, however, also has plaintiffs who languished in foster care for years, and it alleges that the parents’ rights to these children should have been severed long ago in order to free them up for adoption. New York’s Administration for Children’s Services, the suit argues, “should not wait months or years until reunification efforts have failed to begin alternative permanency planning, including identifying other potential permanent homes for the child.”

As Lowry points out, the number of kids in foster care has dropped significantly in the last decade. After peaking at 524,000 in 2002, it went down to 402,378 in 2013, the last year for which data are available. “The number is really down a lot, so I don’t know how one can make a credible claim that children are being removed too frequently,” Lowry says. The problem, she adds, is that some children are being removed who shouldn’t be,

“I was so scared she was going to remove them, I completely changed the way I parented.”

—Seattle mother
Jessica Carter



Home on the range:
The Meitiv children
after school.

and others who should be removed are not.

Roberts agrees with Lowry’s diagnosis, up to a point. “It is a poorly run system,” she says. “You do have to very often wonder how it can be that you have children who would be perfectly safe at home—all they needed was the heater to be fixed, or the mother to have childcare—and then those children are traumatized for life by being placed in foster care. And you wonder how that can happen at the same time that a social worker can be well aware that a child is being starved at home and do nothing.”

To her, however, the fact that the system is so broken means that it can only do harm by intervening more than it already does. “It’s far beyond the problem of just making it more efficient,” Roberts says. “I certainly wouldn’t want a system that more efficiently removes children from their homes.”

Most of the time, when CPS is called, no proof emerges that the parents did anything wrong. According to the Department of Health and Human Services, in 80 percent of investigations “the children were found to be non-victims of maltreatment.” Yet once CPS enters a poor family’s life, says Ketteringham, it

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can be hard for the family to extricate itself. When New York's Administration for Children's Services makes contact with a family, she says, "they're usually going to check your cupboards, check your refrigerator, look for signs of drug use." She's had cases where a woman was reported after testing positive for opiate use at birth; even if it turns out that a doctor administered the drug during labor, a social worker may discover that the woman is living with a man who has a criminal record. And that's enough to keep the case open.

Parents might be referred to preventive services, such as drug treatment or follow-up medical appointments. The social workers "come back a couple times and make sure the parent is doing those things," Ketteringham says. "If parents fail to do those things, or if, in the caseworker's view, the child is at risk of serious harm, they can remove the child right then without going to court." She's seen petitions reporting that a mother has been prescribed Prozac "but is no longer compliant with her medication," Ketteringham says; a judge "once ordered a mother not to fold clothes and put them into her baby's crib."

Sometimes parents can't comply even if they want to. Kristen Weber is a senior associate at the Center for the Study of Social Policy, a DC think tank that hosts the Alliance for Racial Equity in Child Welfare, a coalition of groups working to reform the system. Recently, Weber says, she's been looking at cases of migrant farmworkers ordered to comply with "services," such as parenting classes, for which they have no transportation. "They have to make a choice: 'Do I lose a day's pay and then not be able to pay my rent and food?'"—which, Weber notes, can also be grounds for child removal—"or do I [refuse to] go and do this 'service' that will take all day for a two-hour parenting class?"

Even if the demands of CPS are unreasonable, advocates say that deference—if not outright servility—is often required from the parents, much as it is in encounters with police. "By resisting their efforts to help you or, God forbid, talking about your rights to parent in a specific way, it usually means that everyone concludes you're beyond help, because you haven't accepted that you need their help," Ketteringham says. "Usually, you're telling your client that the fastest way to have your children returned is to cooperate with the investigation."

PEOPLE WHO WORK IN THE FIELD GENERALLY DON'T blame individual social workers for this situation. The biases are systemic, not individual; they appear regardless of the race of the workers. "We have largely not found a huge difference in outcomes based on workers," Weber says. "We did work in Detroit, where almost the entire workforce and leadership is African-American, and we're still seeing evidence of disproportionality and disparity."

Structurally, all of the incentives in the system encourage intervention, but there are scant resources to tailor that intervention successfully. CPS employees can lose their jobs for failing to act, but rarely for acting too aggressively. "When people are working in these indeterminate job situations, they become reluctant to make the wrong decisions," Wulczyn says. "It's always easier to act than it is to not act. If I'm the least bit suspicious and my job is on the line if I make the wrong decision, I can always make the decision [to intervene] and let somebody else deal with it." If the charges turn out to be unfounded, he adds, a judge can always throw them out.

On the surface, this makes a certain amount of sense. Surely it's better, at least in some cases, to err in favor of

protecting a child. But the lack of urgency that Lowry cited means that mistakes are not always quickly rectified, traumatizing the very children CPS purports to help. "If the family standing before the court where an intervention was requested were a family for whom we had regard in terms of the child's bond to the parents, we would work a lot harder to keep a child with their mother," Ketteringham says. "You see it every day in the system."

A motion to allow unsupervised visits between a parent and a child may not even be heard for a month, Ketteringham continues, and there's no sense of outrage over this. "If it were a family of privilege standing before that court, no one would say, 'What's the big deal?' If a family of privilege had their child removed from the school setting and interviewed without notice to them, and removed from their care with no phone call for two or three days about where they are... that just wouldn't happen."

Further, lawyers say it's almost unheard of for child-protection agencies to intervene in order to give families the material support they actually need. Many cases of child neglect involve parents who can't afford childcare, says Redleaf, and yet "they never give people childcare support, if that's the reason. They never say: 'Here's a childcare provider for you, and we'll pay for it.'"

Nor could they, even if they wanted to: There is far more federal funding available for foster care than there is to subsidize services for children who remain at home. "For workers who are trying to do great work, if you're going into a family and you don't have the resources to support the family in their home, you're left with very difficult decisions," says Megan Martin, who heads public-policy work at the Center for the Study of Social Policy. "Our policy on child welfare hasn't caught up with the research on child welfare; what we know families need is very different from what we're providing them with at every level."

That dilemma might be starting to change. In August, Senator Ron Wyden introduced the Family Stability and Kinship Care Act, which is designed to direct more funding to in-home services. "Somewhere in America, a mother has to choose between leaving her kids at home alone to work a night shift, and losing the wages that allow her to barely scrape by," Wyden said in a statement. "The current child-welfare funding system provides two choices: put kids in foster care or do nothing."

We might see a new legal precedent on the child-welfare system as well. Later this fall, Redleaf says, the Illinois Appellate Court will either begin oral arguments on Natasha Felix's case, or decide it on the basis of the briefs that have already been submitted. Redleaf's goal isn't just to have Felix exonerated and removed from the state's child-abuse registry; it is also to establish a precedent governing how the neglect statute is applied in Illinois. In the words of his legal filing, "The appeal raises a question of great importance to parents and children of this State: may a parent who allows her school-aged children to play in a nearby park for thirty or forty minutes, without remaining in her line of sight at all times, avoid being registered in a State-run database as a child neglecter?"

If the answer is no, then we might see an Illinois version of the Meitivs in the news sometime soon. However, that family won't be the ones paying the greatest price. ■



Minority children with accidental injuries were more than three times as likely as white children to be reported as victims of suspected abuse.

IN 1961, TWO AND A HALF YEARS AFTER TAKING power, Fidel Castro gave a celebrated speech to the Cuban artistic and cultural elite that came to be known as “Words to the Intellectuals.” “What are the rights of revolutionary or nonrevolutionary writers and artists?” he demanded. Then, answering his own question with a particular focus on nonrevolutionary writers, he declared: “Intellectuals who are not genuinely revolutionary [must be allowed to] find a place to work and to create within the Revolution.” But even this freedom had its limits. “Within the Revolution,” Castro thundered, “everything goes; against the Revolution, nothing...no rights at all.”

Bill Gates couldn’t be more different, temperamentally or politically, from Fidel Castro. He once characterized anyone who challenged the current intellectual-property laws—specifically those guaranteeing software patents—as a “new modern-day sort of communist.” But when it comes to those who criticize the philosophy underlying the work of the foundation he runs with his wife, Melinda, Gates has shown the same steely moralistic dualism as Castro, the same insistence that those who don’t agree with him don’t deserve to be listened to.

Consider his attack on Dambisa Moyo, the Zambian economist whose *Dead Aid*, published in 2009, is a pros-

PHILANTHROCAPITALISM

A Self-Love Story



Why do superrich activists mock their critics instead of listening to them?

by DAVID RIEFF

ecutor's brief for the argument that development aid to Africa has done more harm than good. Asked about the book on the Australian television show *Q&A* in May 2013, Gates replied that Moyo "didn't know much about aid and what aid was doing" in Africa. This was a harsh statement, though one that Gates had every right to express. But he didn't stop there. "She is an aid critic," he said. "There's not many [of them], because it's moralistically a tough position to take, given what aid has been able to do. But if you look objectively at what aid has been able to do, you would never accuse it of creating dependency. Having children not die is not creating a dependency. Having children not be so sick they can't go to school, not having enough nutrition so their brains don't develop—that is not a dependency. That's an evil thing. And books like that are promoting evil"—a judgment that, in its own context, is every bit as totalitarian as Castro's.

As they say in the military: In war, the enemy gets a vote. And the reality is that there are a great many aid critics, from across the political spectrum. They range from such figures as Walden Bello, Susan George, and Jonathan Glennie on the antiglobalization left, to Moyo herself and William Easterly on the Hayekian free-market side. Whether or not Gates would acknowledge the point, there is a pressing problem for those who believe, with him, that development aid as presently constituted has already accomplished a great deal and stands poised to deliver a great deal more: There are too many such aid critics, who too often are able to secure too much of a hearing. Best, then, to mock them. Within the revolution, everything goes; against the revolution, nothing.

WE'VE ALL TAKEN OUR WISHES FOR REALITIES at some point in our lives. And for an activist multibillionaire, be it Gates, or George Soros, or Charles and David Koch, the temptation must be far greater than for those who will never be in a position to found powerful institutions dedicated to making their wishes come true. Gates, Soros, and the Kochs are what Matthew Bishop and Michael Green, in their 2009 book *Philanthrocapitalism: How Giving Can Save the World*, describe as "hyperagents": "individuals who can do what it would otherwise take a social movement to do." For hyperagents, Bishop and Green add, "richesse oblige" is "a driving spirit of philanthrocapitalism."

But "richesse" doesn't just expect to oblige; it expects to be obliged as well. One of the more cringe-inducing experiences with regard to Bill Gates is to go online and read the encomia to him being produced by organizations whose institutional survival depends in large measure on his financial grace and favor. The ONE Campaign, a group cofounded by the U2 singer Bono, describes itself as "an international campaigning and advocacy organization of nearly 7 million people taking action to end extreme poverty and preventable disease, particularly in Africa." In its financial statement, ONE declares itself "especially grateful for the long-time partnership with and major support from our friends at the Bill & Melinda Gates Foundation for our 501(c)3 operations." One form that gratitude has taken is the group posting "Fascinating

Facts About Bill Gates," such as his having "saved over five million lives by bringing vaccines and improved healthcare to children internationally."

This is the kind of homage traditionally accorded kings and dictators. While Gates and his fellow philanthrocapitalists are neither, the philanthrocapitalist project is irreducibly undemocratic, if not indeed antidemocratic. Even its most fervent boosters concede this, though they often do so in ways that skirt the essential issue of accountability in the name of efficiency. Bishop and Green's version of this two-step evasion is emblematic: "As hyperagents," they write, "the superrich can do things to help solve the world's problems that the traditional power elites in and around government cannot. They are free from the usual pressures that bear down on politicians and activists and company bosses with shareholders to please." This democracy deficit is the ghost at the banquet of philanthrocapitalism.

Gates has pointed this out himself on many occasions, though his remedy for, as he puts it, not having "to worry about being voted out at the next election or board meeting" is to "work hard to get lots of feedback." And Melinda Gates has said that she and her husband "learn from their mistakes." Even if this is the case, their "learning" takes place wholly on their own terms—and an accountability that's entirely self-imposed and unenforceable by anyone else is not accountability in any serious sense of the term. Unlike government development aid, there is literally no check on what Bill and Melinda Gates can do, except their own resources and desires, and no way of making this learning process—when and if it happens—anything more than a voluntary act on their part. Nor is their self-criticism likely to be systemic. That would require the Gates Foundation to be open to the idea that its fundamental assumptions on a given issue—most obviously, that sustainable growth is feasible and is not, for the obvious environmental reasons, a contradiction in terms—are wrong. This is something the Gateses and their senior staff have never shown the slightest evidence of taking seriously, even as a remote possibility.

If the Gates Foundation decides, say, to "double down" on a commitment, as it has in the case of the second Green Revolution—not just through funding, but through actively lobbying both African governments like Ethiopia's and the major Western donors—it is difficult to see what can stop them. In fairness, as the food-rights activist Raj Patel has pointed out, the reason that the Gates Foundation could be "playing God" in the way it has with regard to global food policy and African agriculture in particular, is that until relatively recently, "almost no one else was trying to help." Still, he said, "there has to be something problematic about a few big brains in Washington State making decisions about an entire continent. At the very least, shouldn't this make any small-'d' democrat queasy?"

This question is not exclusive to Gates, but to all major private philanthropies that are committed to using their money to effect social, economic, or political change. For example, one could fairly describe the activities of the Soros Foundation as trying to engineer democratic outcomes in some of the countries in which it operates through the undemocratic means of George Soros's money, influence, and access to policy-makers in the major Western capitals, as well as his ability to enlist many of the best and the brightest in the countries in which he chooses to be active to run his national

"Richesse" doesn't just expect to oblige; it expects to be obliged as well.

David Rieff, a New York-based journalist, is the author of nine books. This essay is adapted from The Reproach of Hunger, to be published by Simon & Schuster in October 2015.

foundations. Some of his more florid critics, like the Columbia University free-market economist Jagdish Bhagwati, have tried to draw a line between Soros's supposed intrusion into the politics of the nations in which his foundations work and Gates's supposed lack of a political agenda, but this distinction is as specious as the Fox News Channel's claim to be "fair and balanced." To accept it would require one to believe that free-market capitalism was not a form of politics—something that might even give pause to Bill Gates himself.

THEN AGAIN, PERHAPS IT WOULDN'T. WHEN I visited the Gates Foundation's Seattle headquarters in 2009, I noticed that the default screen saver on the staff computers was a slide show of the organization's 15 guiding principles. Some of these make refreshingly modest claims about what even the Gates Foundation can accomplish. "Philanthropy," reads one, "plays a vital but limited role." Others are almost admonitory, both on the internal workplace level—"We treat each other as valued colleagues" and "We demand ethical behavior of ourselves"—and in terms of how the foundation must pursue its goals: "We advocate vigorously but responsibly in our areas of focus." But one is steelier and more revealing. It reads simply, "This is a family foundation driven by the interests and passions of the Gates family."

When I inquired about it, several senior officials of the Gates Foundation pointed out that it was rarely, if ever, the majority funder of any of the efforts it supported, from education in the United States to global health, to a second Green Revolution for Africa. But this response occludes the fact that, just as a minority shareholding in a company gives a person or institution a disproportionate say in its governance, the Gates Foundation's involvement has been decisive time and time again.

For example, the foundation's role with regard to vaccine research has often been dispositive. It would be unjust to blame Gates for underwriting programs and research initiatives that looked promising but in the end did not pan out. The question—and it was one that was raised about what many regarded as Gates's predatory and monopolistic practices when he was still running Microsoft—is whether or not monopolizing the research agenda in the way that the Gates Foundation does, at least to some extent, in whatever field it enters risks a situation in which Gresham's Law (the economic theory that bad money drives out good) is going to apply. For all the hype about scientific nonconformity, researchers go where the money is, as they have since the days of Oppenheimer and his team at Los Alamos working on the atomic bomb. And by now, Gates's influence is so pervasive that it would probably be an act of professional or institutional suicide not to sign on.

ALTHOUGH BILL GATES IS PASSIONATELY INTERESTED in human welfare, the issue of human rights has not been an important subject for him. Consider the annual foundation letter that he and Melinda have written since 2009, the purpose of which Bill has described as



“Shouldn't this make any small-'d' democrat queasy?”

—Raj Patel, food-rights activist



Hyperagents: David Koch (above) and George Soros. The only checks on super-wealthy philanthropists are the ones that they control.

an effort to “share in a frank way what our goals are and where progress is being made and where it is not.” The term “human rights” isn't mentioned in the first Gates Foundation letter, in 2009; nor does it appear until 2015, when it is mentioned once, and even then only in passing.

Bishop and Green have followed up their work on philanthrocapitalism (in which human rights are mentioned only twice, and then very much in passing) by developing, in collaboration with Harvard Business School professor Michael Porter, what they call a “Social Progress Index,” intended to be independent of economic indicators. The results are intriguing. As the development commentator Tom Paulson noted, “Rwanda—which is often considered the development community's big African success story—ranked near the bottom of the list. Mozambique, Uganda, Nigeria and Ethiopia were the only nations with lower scores.”

To Gates's critics, this comes as no surprise. It's impossible for anyone not in his confidence to know for certain whether Gates is personally indifferent to human rights, or whether it's simply that the political character of the regimes he supports is of secondary importance to him when compared with the degree of progress made in tackling poverty, disease, and hunger, or in attaining various quantifiable development goals. But it is unimaginable that the graphic in the 2013 annual Gates Foundation letter titled “Bringing Health Care to the People: Ethiopia's Success Story” would have been accompanied by another that would have read, just as accurately, “Taking Human Rights Away From the People: Ethiopia's Shame.”

Geoffrey Lamb is the foundation's chief economic and policy adviser. His response to the attack by William Easterly, in *The Tyranny of Experts*, on Gates's “technocratic illusion” suggests that neither Gates nor the senior staff at the foundation take such criticism seriously. In a breezy dismissal of Easterly published on the foundation's “Impatient Optimists” blog in 2014, Lamb referred to the US Agency for International Development's “support for democratic movements” as an undeniable fact—one that obviated any need on his part to address a core element in Easterly's argument, which was that supporting democratic movements was precisely what USAID was *not* doing in Ethiopia.

Lamb's blithe confusion speaks to the confidence of the new status quo. Garry W. Jenkins, a professor of law at Ohio State University, has written: “With its emphasis on superrich hyperagents solving social problems, philanthrocapitalism” has amplified “the voice of those who already wield substantial influence, access, and power.” What this means is that, for the first time in modern history, it has become the conventional wisdom that private business—the most politically influential, undertaxed, and underregulated sector among those groups that dispose of real power and wealth in the world, as well as the least democratically accountable—should be entrusted with the welfare and fate of the powerless and the hungry. No revolution, not even Fidel's, could be more radical, and no expectation, no matter how much it was the product of ceaseless promotion in both old and new media, could be more counterintuitive, more antihistorical, or require a greater leap of faith.



KATRINA VANDEN HEUVEL / THE NATION'S EDITOR & PUBLISHER



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In a “co-epidemic” with HIV, the disease is raging across Asia, Eastern Europe, Latin America, and Africa, killing an estimated 2.6 million people in 2013.

by DOUGLAS FOSTER

THE GLOBAL TOLL OF DRUG-RESISTANT TUBERCULOSIS

Johannesburg

HERE IN THE WAITING ROOM OF HELEN JOSEPH HOSPITAL, A COUGH never sounds like just a cough. It's more like the audio accompaniment for a glimpse at what may be the most sustained medical catastrophe of our time. A throng of new patients are spectral figures, the latest victims of what public-health officials dub a "co-epidemic" of tuberculosis and HIV. The patients' off-white masks flutter whenever they break into that distinctive guttural bark, followed by a raspy rattle in the throat. Linger long enough in this room and you'll hear prayers offered: "Please, Jesus, let this be a case of *ordinary* tuberculosis." Rising numbers of patients are infected with strains of *Mycobacterium tuberculosis* resistant to commonly used medications. Treatment, then, will be longer, more punishing, and less effective.

Although largely unnoticed by the public in the United States and Western Europe, where TB and HIV are relatively well-controlled, the co-epidemic rages on across great swaths of Asia, Eastern Europe, Latin America, and Africa. In 2013 alone, these twin scourges took the lives of an estimated 2.6 million people, who died of one infection, or the other, or both.

Nine million people contracted TB in 2013 (1.1 million of them also HIV-positive), and nearly half a million new infections that year involved drug-resistant strains, according to the World Health Organization. The ongoing, uncontrolled spread of multidrug-resistant tuberculosis (MDR TB) also threatens to upend the public-health systems in South Africa and 21 other counties.

Against this grim backdrop, there's a \$1.7 billion shortfall worldwide in funds needed for the prevention, diagnosis, and treatment of TB. Investment in research on vaccines and new treatments remains at paltry levels. The scale of suffering and dying is alarming enough, but public-health advocates worry about the potential for wider consequences, since one in three of us hosts a latent, or inactive, form of tuberculosis, and 37 million are HIV-positive.

"You know, Ebola is only a plane ride away," one of the doctors at the hospital told me shortly after I arrived for a visit on a cool autumn morning. "Like Ebola, untreatable TB is only a plane ride away, too. So I'm quite surprised by the apparent lack of a sense of urgency about this everywhere but here."

The Patient

IN A CORRIDOR THAT LINKS THE HOSPITAL'S HIV CLINIC to its TB treatment center, I met a patient who has been fighting both illnesses for the past six years. "This sickness has been *hunting* me," Babsy Raphoto told me. "TB, you know, it eats your strength." She's a 45-year-old black woman with a pleasant, oval-shaped face, dressed in a bright pink-and-blue blouse. "And there's been so many TBs!" Raphoto exclaimed. "I've had it three times so far."

The hospital itself is a sprawling public-health facility perched on the edge of South Africa's largest city and named for an icon in the struggle against apartheid. TB infection control had a history of struggle, too. That history included mass dormitory-style housing for mine workers, high rates of incarceration, and scant healthcare for the black majority. Those conditions fueled elevated rates of infection for generations. When the postapartheid government fumbled its early response to a burgeoning HIV epidemic, tuberculosis also boomed.



Investment in research on vaccines and new treatments remains at paltry levels.

Douglas Foster, an associate professor of journalism at Northwestern University, is the author of After Mandela: The Struggle for Freedom in Post-Apartheid South Africa.

"I used to think: 'What have I done wrong?'" Raphoto confided, and I knew from talking to other patients that it was common for those who'd contracted these diseases to blame themselves. The short answer to her question is that it was merely geography and chance—having had the bad luck to come of age amid the intersection and burgeoning spread of two infectious diseases.

Raphoto's first two bouts with TB were extrapulmonary cases: the first time an attack on her stomach, the second on her lymphatic system (tuberculosis often strikes in organs besides the lungs). Then, in a stunning double whammy, she tested positive for HIV, which was how she discovered that her longtime partner (now an ex-boyfriend) had other romantic attachments. "When I got sick, he didn't want me," she said.

Between illnesses, Raphoto always returned to work—she had a teenage daughter to raise, school fees to pay, and unfulfilled ambitions of her own. After apartheid fell, she'd seized the new opportunities suddenly open to blacks, working for a prominent media company and then landing a job as assistant to the CEO of the country's largest bank. As with millions of her contemporaries, however, the drive for political liberation and economic advancement was blunted by the need to engage in a different kind of struggle—the fight for freedom from disease.

At the end of 2011, tuberculosis "gave me a break!" Raphoto said, speaking of the disease as if it had a mind of its own. Two years later, with her life and career finally back on track, she contracted TB again. This time, she was infected with a more pernicious strain, one resistant to the two drugs most commonly used against it.

The treatment for multidrug-resistant TB proved orders of magnitude more difficult. Her doctor estimates that patients who complete the two-year course of treatment have to swallow up to 14,600 pills and endure daily intramuscular injections for six months. "Aw, if you could only know that pain!" Raphoto said. "Every day you touched your bum and asked yourself, 'Where is there even a little spot left to be injected?'"

The pain from injectable medications helps explain the high dropout rate worldwide from treatment for MDR TB. So do the severe side effects, including high levels of psychotic reaction and loss of hearing.

Raphoto credited three people with her survival through this travail: her daughter and her sister, both of whom ferried her back and forth to the hospital for years, and her doctor. "I am alive today because of Dr. Berhanu," she told me. On this fall morning, she had arrived early for her appointment to learn whether she'd been cured once again, this time of MDR TB.

The Doctor

WHEN I VISITED THE CLINIC LAST MAY, THE doctor in charge was gathering data for a report on how her patients had fared. Dr. Rebecca Berhanu is a 36-year-old internist who manages research and treatment at TB Focal Point, an innovative collaboration with the Health Ministry managed by the NGO Right to Care and funded by the US government. "It's patients like Babsy who keep me going," Berhanu said. Then we were inter-

rupted by a phone call; Berhanu took down a batch of statistics and looked pretty grim as she set down the phone. “The data is just so bad—*really* disappointing,” the doctor said.

The latest survey revealed that only 40 percent of patients treated for drug-resistant tuberculosis at TB Focal Point had completed a full course of the treatment. This made survivors a distinct minority, in spite of the intensive effort mounted by nurses, counselors, and doctors. About one in four patients—26 percent—had died during the course of treatment, and another 30 percent were “lost to follow-up,” which meant nobody in the clinic knew what happened to them. This is how drug-resistant strains of infection spread across the country, and also across borders.

The results were doubly disappointing because South African health officials had responded to the crisis with a high sense of urgency, unlike their counterparts in Russia and India, for example. “South Africa is actually moving faster than anybody else,” Berhanu pointed out. She thought the health minister, Dr. Aaron Motsoaledi, had demonstrated visionary leadership by embracing the diagnostic tool known as GeneXpert, which allows for speedier and more accurate diagnosis, and moving toward a system of decentralized care, which had worked in places like Peru. The national government pledged to end the co-epidemic altogether by 2035.

These ambitions butted up against sobering realities. In 2015, the waiting room here, like those of so many clinics and hospitals around the country, was filled with patients complaining of psychotic breaks, balance disorders, and deafness from medications being used in the scaled-up campaign against TB.

Continued use of these drugs has placed doctors in a precarious position with their own patients. “We have to tell them, ‘OK, you might go deaf and the odds are it won’t work, but otherwise you’re certain to die of TB.’ So which would you choose?” Berhanu said, raising her eyes to the ceiling. Then, looking at me dead on, as if I were one of her patients: “Well, would *you* rather go deaf—or die?”

A relatively new drug called bedaquiline was approved by South African authorities for “compassionate use” in cases where patients suffer severe side effects under the old regimen. For doctors in the clinic, however, bedaquiline’s regulatory approval was mainly an advance in theory, since few doses actually arrived. “It’s so discouraging and so frustrating—we need to move a lot faster in getting new drugs to these patients,” Berhanu said.

Her very next patient exemplified the point. Frans Ndou, a construction worker, was a slight man of medium height who’d been diagnosed with MDR TB six months earlier. Placed on the standard treatment that Raphoto had already described to me, he’d swiftly suffered debilitating side effects, including excruciating pains in his legs and feet, a psychotic break, and deafness. “My ears used to work, but because of the medicine—which they said would cure me—these ears won’t work. While you are talking, I have to follow your lips to see what you’re saying,” he told me. The doctor stopped the injections and applied right away for the new drug. For half a year, both patient and doctor were left hanging. Berhanu was anxious to get her hands on the new treatment, because a few weeks later she was scheduled to begin a one-year leave after receiving a fellow-

ship in infectious disease at the University of North Carolina. The experience had left her patient suspicious of the entire enterprise of modern medicine: Why couldn’t they cure the disease in a way that would prevent it from coming back? “I don’t want to admit it, but I might run away,” he said when the doctor left the room. (He was later placed on bedaquiline and reported marked improvement.)

BERHANU WAS BORN IN ETHIOPIA AND WENT TO colleges and medical school in the United States, so she’s no stranger to the global class divide in medicine. Still, she found it infuriating that it would be so hard to get her hands on a few new drugs easily available to her colleagues in the United States, Western Europe, Japan, and South Korea. In cities like Chicago, where I live, the drug is stocked but rarely used because there are so few cases of MDR TB. There were only 96 such cases nationwide in 2013, compared to more than 14,000 in South Africa the same year (and 6,242 cases of extremely drug-resistant tuberculosis, or XDR TB, from 2004 to 2012).

“It’s the haves and the have-nots, right there!” Berhanu said. It also seemed unconscionable that doctors had to rely on archaic treatments in the first place: The two most commonly used drugs in first-line treatment were developed in the 1950s. Few new medications have been developed for a disease that afflicts tens of millions.

Part of the reason, she thought, had to do with the fact that nearly all the suffering and dying occurs in poor and middle-income countries. This means prices on newly introduced drugs are likely to be negotiated downward, as they had been in the case of HIV drugs. Besides, there’s a much higher profit margin for drugs that treat chronic conditions.

“So the problem with producing new treatments for tuberculosis...?” I started to ask. “Is that it’s curable,” Berhanu replied before I could finish. “Nobody’s interested in treating a curable disease anymore. If you’re developing new drugs, you want to produce something for a chronic condition that everybody has in richer countries, like antidepressants for seasonal-affect disorder or remedies for insomnia.” In richer markets, it’s easier to charge a premium.

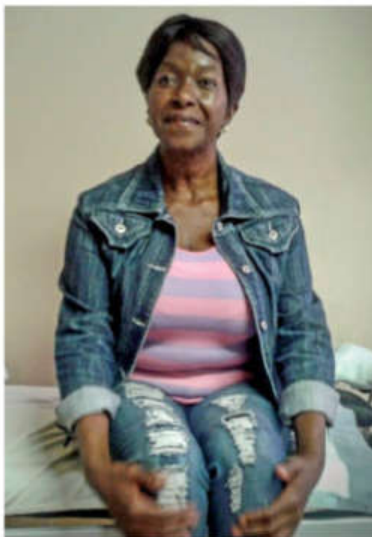
Global inequality reveals itself in other ways. In cities like Chicago, patients diagnosed with MDR TB are hospitalized or placed in isolation at home for at least two weeks, away from children and immune-compromised adults, like those infected with HIV. Patients are assigned social workers and nurses who visit their homes, offer support, and give injections. In June, a traveler from India who flew to Chicago and was subsequently diagnosed with XDR TB was airlifted to an isolation ward in a facility operated by the National Institutes of Health and treated at a reported cost of \$480,000.

In South Africa, where there are only 2,500 beds set aside for those with drug-resistant diseases, patients are often sent home with well-meaning advice tailored more to a person in

“Nobody’s interested in treating a curable disease anymore.”

—Dr. Rebecca Berhanu

“Lucky girl”:
Babsy Raphoto.



Chicago than to someone in Johannesburg. “Our advice, like the medical advice anywhere, is to sleep with open windows in separate rooms,” Berhanu said. “But people are living four, five, and six in one-room shacks!” Exposure to adults at their most infectious is one of the reasons so many children are dying of TB undiagnosed, untreated, and unreported.

Many of Berhanu’s patients had little money for food or transport and walked long distances to and from the hospital in excruciating pain. For the first time, there was a hint of despair in the doctor’s voice. “You always think, you know, ‘What if it was me?’” she said.

The doctor wondered what it would take for drug manufacturers, policy-makers, and the public to register the scale of this disaster. In the middle of the 19th century, tuberculosis caused a third of all deaths in the industrialized world. Would the rest of the world wake up only if the contagion spread? From her vantage point at the heart of contagion, Berhanu thought there was still a whisper of a chance to contain it, but only if more effective, shorter-term, and less painful treatments arrived soon.

The Big Picture

IN ITS ANNUAL REPORT LAST YEAR, THE WORLD HEALTH Organization (WHO) noted signal achievements: an estimated 37 million lives saved since 2000 through improved access to diagnosis and treatment for TB and declining mortality rates. These advances demonstrated that a more concerted campaign might make more of a difference. The biggest obstacles are failure of the imagination and will on the part of national governments, including those of middle-income, high-burden countries like Brazil, Russia, India, and China. An annual budget of \$8 billion was needed for detection, diagnosis, and treatment, but only \$6.3 billion had been raised. Another \$2 billion was desperately needed for research and development on new drugs and treatment regimens.

While the prevalence rate (the proportion of the world’s population with active TB infection) fell, the world population had also grown. So, after a long incremental decline, the numbers of people affected by the co-epidemic seemed to have crept back up in recent years: More people died of TB and HIV in 2013 than in 2012. (WHO releases its latest survey, covering 2014, early in October.)

“They love to talk about all the supposed good news,” Mark Harrington told me in mid-September. He’s the hyperkinetic executive director of Treatment Action Group (TAG), the New York-based organization that successfully pressed for greater investment in AIDS research, speedier testing of new medications, and a more patient-centric approach to new treatments during the early years of the HIV epidemic. Now, it struck him, dozens of drugs are available for treating HIV, but only a paltry few are ready to be deployed against tuberculosis.

In 2002, when the Global Fund to Fight AIDS, Tuber-



Shortage of care: Patients with HIV and tuberculosis await consultation at a clinic in Cape Town’s Khayelitsha township, February 2010.



“It’s been a massive failure of political will and a failure of science.”

—Mark Harrington, Treatment Action Group

culosis and Malaria was formed with seed money from the Bill and Melinda Gates Foundation (which also supported TAG), promising new research was launched into TB vaccines and cures. Then a major vaccine trial failed, and pharmaceutical conglomerates abandoned the field. “What we thought was a renaissance turned into a spark of light before a return to the dark ages,” Harrington said. “It’s been a massive failure of political will and a failure of science.” (And a significant failure of journalism, too, because the scope of the suffering and the political implications of the burden on devel-

oping countries hasn’t received adequate coverage.)

One under-celebrated bright spot was the creation of a nonprofit drug-development organization called TB Alliance. Formed in 2000, it became a key player in research on combination therapies that mix old and new drugs in novel ways. The alliance headed three out of six major studies under way on new drugs for the treatment of TB. It’s also a pioneer in clinical trials on combinations of old, repurposed, and new drugs to develop better standards of care for TB patients, including Nix-TB, a trial to test the efficacy of bedaquiline and two other drugs in treating patients with XDR TB.

Dr. Mel Spigelman, CEO of the TB Alliance, emphasized the need for “a truly short-course, simple, affordable, and well-tolerated universal-treatment regimen.” Derek Ambrosino, spokesman for the alliance, said it was the “realities of patients’ experiences” that led to research on drug regimens that could be taken orally.

BACK AT HELEN JOSEPH HOSPITAL, BABSY RAPHOTO arrived early for her appointment to review her most recent laboratory results. Finally, some good news: In the latest sample of her sputum and X-ray, there was no sign of TB infection. “Today, I’m healed!” Raphoto declared. “I’m proud to say TB can be cured!”

When the doctor reminded her that she could take off her mask in the examining room, the patient froze. The mask, it seemed, had become part of her identity. Untying it slowly, she drew the mask down into her lap. The transformation was stunning: Masked, she’d looked drawn and fidgety, her eyes narrow and darting. Now, unlike the frail new patients down the hallway, she unveiled wonderfully clear skin stretched over full cheeks. “Overall, it’s six years of being sick with TB,” Raphoto said. “That’s why, back home, they are saying I’m the strongest woman ever!”

As she rose to leave the examining room and fetch her sister, she listed to one side because of a balance disorder from the drugs. She worried that her halting walk made her look like a drunk. Raphoto felt so eager now to do normal things again—leave the house, go into town, shop in a mall, and work. So she tried to imagine her body completely freed from her long bondage to disease. Her African name is Busisiwe, which means “lucky girl!” in Zulu. “I am alive!” she announced, like a broadcaster delivering breaking news. She repeated herself even more forcefully: “Can you believe it? I am alive!” ■

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(continued from page 2)

"overcorrection." History will call it a war crime.

SAM COLEMAN
FOUNTAIN VALLEY, CALIF.

Michelle Goldberg ends her article by questioning whether Hillary can excite the ascendant left. However, Hillary has plenty of support among Democrats. I represent the silent majority of the Democratic Party, which the media ignore. I am among the 18 million people who voted for Hillary in 2008 and are eager to do so again.

REBA SHIMANSKY
NEW YORK

Michelle Goldberg's article is informed and balanced in the best *Nation* tradition. She bends over backward not to be unfair. I suspect she shares the sense of fatalism of many Democrats: that it's inevitable Clinton will be crowned the Democratic nominee for president whether we like it or not, so we'll have to vote for her. Yet I also suspect the politics of Bernie Sanders align much more closely with those of a majority of *The Nation's* readers. It's still early in the campaign. Let's not give up on Sanders—let's dare to dream.

RONALD KOURY
NEW YORK

Up for Debate

In his article "Open It Up, Dems!" [September 14/21], John Nichols presents the case for increasing the number of Democratic debates from the scheduled six to at least 12, thereby matching the GOP's number. His rationale is correct: The more the electorate hears from the candidates, the more information it will have to make an educated decision in the primaries. He's also correct in saying that campaigning and stating your positions on issues in stump

speeches or in interviews is not the same as debating. Debates allow for comparing and contrasting in real time, and that's a good thing.

On the face of it, it makes no sense to limit the number of debates. A lot of Democrats, especially progressives, smell a big fat rat! Nichols doesn't mention Democratic National Committee chair Debbie Wasserman Schultz anywhere in the article. The Florida congresswoman served as the national cochair of Clinton's presidential campaign in 2008. The two have a close professional relationship. Wasserman Schultz has also declared the following: "Secretary Clinton, I think, is arguably one of the most qualified people... who have ever run for president. I was proud to support her in 2008. Of course, as DNC chair, I will neutrally manage our primary nomination contest, assuming we have one." While proclaiming her neutrality, she also called Clinton "a special leader and a special woman."

More debates serve *all* candidates well; fewer only help Clinton.

MARSHA SHEARER
THE VILLAGES, FLA.

Nationalize *The Nation*

The Nation is running far too many parochial articles about New York City. I know your editorial offices are there, but your magazine's name is *The Nation*, and there's a lot more to our nation than just the Big Apple. In this instance, I am referring specifically to the July 6/13 issue, with a front-page illustration advertising your principal story, "How to Dump Tenants and Make a Fortune" (in New York City), and a teaser at the top for the editorial "End 'Broken Windows'" (another New York City issue).

RICK LUTTMANN
ROHNERT PARK, CALIF.

Books & the Arts.

A Furious Freedom

by BEN EHRENREICH

In 1995, a young writer named John Keene published a marvelous, odd, and slender book called *Annotations*. The title was very much of the era—think Roland Barthes’s *Mythologies* and Raymond Williams’s *Keywords*, then still in heavy circulation in your hipper university lit departments. It was a slim, slippery thing, not quite a memoir and not exactly a novel, as heady and at times abstruse as its title suggested. Its methods were equally poetic and novelistic, but something was lacking, like a house glimpsed in a dream, all windows and doors but no walls. In the book’s final sentence, the author advised that it should be understood as “a series of mere life-notes, *aspiring to the condition of annotations*” (italics mine). It was, or aspired to be, a collection of marginalia to a missing text, the contours of which the reader was left to divine.

That text sometimes looked a lot like Keene himself: black, gay, raised in St. Louis, enamored with language, tormented by it. (“In the absence of a system of pure and unmediated signs, he nearly gave up on living altogether.”) Alternately, it followed the trajectory of a single family, “bourgeois yet working-class,” as they ascended from Catholicism to Presbyterianism, moved to the suburbs, unraveled due to largely unspecified causes (“A clue, alcohol”), and through it all raised a child they did not know exactly what to make of. “Neither parent had expected such a fragile character,” wrote Keene, and he repeated the assertion almost verbatim 16 pages later. The absent text, the one under annotation, appeared also to trace the recent history of something we might hesitantly call “Black America,” beginning “as Blacks were transforming the small nation of Watts into a graveyard of smoldering metal,” and winding a path through “Urban Renewal” (or, as Keene translates, “it’s the Black folks that got to go”) and the violence, despair, and fragmentation left in its wake. Panning out just a little, Keene’s missing text seemed to have the same shape as the country at large. “Montgomery. My Lai,” read one note. “To what extent is American



John Keene.

history the history of American capital,” read another, without a concluding question mark. Later, “the actor assumed the nation’s highest office.” Beneath it all, the lash of slavery—buried and ignored, if never all that far away.

But Keene took great care not to actually write those narratives. He wanted them visible only via refraction, as if through mirrors or the slats of a blind, which makes it feel a bit unfair to suss them out like this, to lend them a fullness and presence that he thought it so important to avoid. “Oozing, seething magma of presence, what I represents,” he wrote with disgust in what I believe is the only instance in which the first-person-singular pronoun appears outside of quoted dialogue. While writing about himself, or some past and perhaps fictive version of it, Keene used “you” or “he”—as in “He was usually charily chosen for the kick-ball teams, or last for any sport requir-

Counternarratives

Stories and Novellas.

By John Keene.

New Directions. 306 pp. \$24.95.

ing aggression,” or “but what you sought, like any artist, were the very events themselves.” Sometimes he went with “we” or “they,” but never with that stabbing “I.” Many sentences remained gloriously free of any consistent grammatical subject: “Jumping double-dutch, till the night sky touched the ground, or jacks, but still the girls would play too fairly.” This, of course, was the idea: to sketch out a subjectivity at once as local and diffuse, as concrete and elusive, as the thing itself. Which is neither thing nor self, and neither here nor there, but some intimate yet disparate other embedded in history, culture, race, community, as much as in any single body, or single mind.

Ben Ehrenreich is the author of two novels, Ether and The Suitors. The Way to the Spring, based on his reporting from the West Bank, will be published by Penguin in June.

For all its insistence on diffuseness, *Annotations* was nonetheless a very lonely book, 85 brief pages and a thousand or so scattered angles on the experience of exile—from history, from culture, from one's own peers, family, flesh. From language even, or one vision of it. By the volume's end—the 1980s, and the grim advent of adulthood—nearly everything is broken. Fortunately, Keene suggested, there is literature, a way out. Poems, he wrote, are “maps to realizable liberty...each finished text a step closer to the zone of deliverance.” Salvation, though, is a heavy burden for mere words to bear. The long lag between that book and his next—11 years—suggests that he had merely given himself a new problem. Map and terrain are two very different things. Literature might be the answer, but what kind of literature? What path? Which words, and in what order? Keene would wander slowly. In 2006, he published *Seismosis*, a collection of poems written in collaboration with the artist Christopher Stackhouse, and another eight years would pass before the publication of his translation of the Brazilian writer Hilda Hilst's *Letters From a Seducer*. This spring brought *Counternarratives*, the first sizable gathering of Keene's own prose, comprising 11 stories and two novellas. If a map was wanting, a map we have.

Counternarratives is no less ambitious or complex a work than *Annotations*, but it is considerably more approachable. Yet it is a book of such richness that it's hard to know where to begin, so I'll start with a moment—and there are many of these—where Keene's text slides into another's. This one occurs in a novella with the sly, unwieldy title “Gloss on a History of Roman Catholics in the Early American Republic, 1790–1825; or the Strange History of Our Lady of the Sorrows.” Like many of his stories, it's quite epic for its length. It follows a young and variously gifted enslaved woman named Carmel as she accompanies her erstwhile master (mistress, really—a teenage girl holds title to her body) from Haiti in the throes of revolution to a Catholic convent school in Kentucky, which was then on the far western fringes of the young American Republic. Keene interrupts the narrative with several brief intertextual meditations on “the role of duty,” one of which leads with a quote from Gilles Deleuze and concludes with a question: “Within the context shaped by a musket barrel, is there any ethical responsibility besides silence, resistance and cunning?”

The question echoes a line of Joyce's Stephen Dedalus. (From *Portrait of the Artist*

as a *Young Man*. You remember: “I will try to express myself in some mode of life or art as freely as I can and as wholly as I can, using for my defence the only arms I allow myself to use—silence, exile, and cunning.”) For both writers, cunning is key and the silence referred to strategic, selective, and far from absolute. But the difference between Joyce's words and Keene's is more revealing than the overlap. Joyce chose “exile.” Keene goes with “resistance.” When the context is a musket barrel—which in the era of Michael Brown, it still very much is for some—this is less of a choice than it seems. What use is claiming exile when you are already there? When the existing narratives not only demean and exclude you but aim for your utter disappearance, flight is not among the options. Keene quotes Audre Lorde in an epigraph: “So it is better to speak / remembering / we were never meant to survive.” And so you either fight or die—a death that may or may not be metaphorical. Keene fights, and does so with grace, an agile and often vicious wit, and a stubborn, crackling beauty.

“To speak of culture,” Keene wrote in *Annotations*, “is to foreshadow a battle.” With *Counternarratives*, Keene is engaged, the battle roaring on several fronts at once. As in his previous book, there are missing texts at work in all these stories. This time, they are the reader's assumptions and expectations, the dominant narratives—historical and political as well as strictly literary—with which we conjure the world and reproduce it, exclusions and erasures intact. Probably the most exemplary of them in that regard is “Rivers,” a tender and brutal tale in which Keene avenges a historic injustice, granting Mark Twain's Jim the opportunity to narrate his own post-Huckleberry life. Tom Sawyer has aged into a less charming version of the glib sadist we always knew he was. Huck is broken and earnest and sad. And Jim, who has in freedom renamed himself James Alton Rivers, is something Twain never allowed him to be: a man of complexity and depth, with his own loves, tragedies, desires. Even here, Keene lets the telling be hinged on white hunger for a narrative in which Jim will always be pushed aside. The story is spurred by a—presumably white—reporter's question about “the time you and that little boy...” Jim shushes him with a glance, annoyed because “this is supposed to be an interview about the war and my service in it”—at 46, Jim enlisted in the First Missouri Colored Troops and fought with them all the way to Texas. He seldom even thinks of Huck Finn anymore, “not even in dreams or nightmares.” I won't give away the end, but

you will never think of either Jim or Huck in quite the same way after reading it.

Some of Keene's stories are slight things, a single idea fleshed out. Langston Hughes and the Mexican poet Xavier Villaurrutia pass an amorous night in a midtown Manhattan hotel room. Kaira la Blanche, also known as Miss LaLa and the Black Venus, and best remembered as the trapeze artist painted by Edgar Degas, gets to tell her own story: “I aim to exceed every limit placed on me unless I place it there, because that is what I think of when I think of *freedom*.” The vaudeville composer Bob Cole, paralyzed by depression and guilt over “all those godforsaken songs, that cooning and crooning minstrelsy,” is destroyed by strange music in his head, “a sound that sounds like the inside of a sound,” so chaotic and cacophonous that it cannot possibly be performed. W.E.B. Du Bois passes George Santayana on the street in Cambridge. We read both of their perspectives in parallel columns of text. Neither of them says hi.

But the best stories here are the longer ones and the two novellas, in which every available form of literary irony—every possible way of forcing stubborn words to mean more than they pretend—seems to be working at once. There are plot twists and surprise endings. Power relations are fortuitously reversed. The enslaved and oppressed—in Massachusetts in the late 1700s, Brazil in 1630, Haiti and Kentucky at the turn of the 19th century, Philadelphia and Washington, DC, at the beginning of the Civil War—do not suffer their chains, and find ways to break them. In “Gloss on a History of Roman Catholics,” young Carmel bides her time. She has every chance to abandon her mistress, “the sickly, greedy Eugénie,” but does not. In short sections of bare dialogue, a voice—her dead mother, or some analogous fragment of her self—asks her why she keeps wasting opportunities to escape. At first she does not answer. Slowly, she gathers strength. When at last she takes her vengeance, it is explosive and, in the telling at least, beautiful. Thus Keene overturns the reigning versions of history in which Americans—I use the term continentally—of African descent are either rendered docile or erased. Even Carmel's obedience becomes a mode of resisting, of seizing freedoms long denied to her. But there is another sort of liberation at work here, and ironies more complex than turning a too-familiar plot on its head.

Keene's voice shifts constantly. “Gloss on a History,” for instance, begins as a deceptively conventional third-person narrative broken by occasional spurts of unattributed dialogue

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before it gives way to journal entries jotted in Carmel's trilingual shorthand, an excerpt from an official report penned by one of the nuns at the convent, and finally a first-person narration from a by now fully self-conscious Carmel. In other stories, cuttings from newspaper articles—announcements of a murder or the sale or flight of a slave—maps, and outtakes from invented histories disrupt the flow of plot and the unity of its telling. In “A Letter on the Trials of the Counterreformation in New Lisbon,” a character breaks chronology to quote the very same Audre Lorde lines that Keene uses elsewhere as an epigraph, prefacing them “as my sister will write in the distant future.” In that story, while relating the odd events that overtook a Catholic monastery in a provincial corner of what is now Brazil, the narrator briefly anticipates Foucault: “Is knowledge not always a form of power...?”

It is on that level—within language, and the ways that it forms meanings which then combine into the opacity of social truths—that Keene most delights in subversion. Much of *Counternarratives* is written in a voice that, with a fluid 19th-century rigor and an almost imperceptible wink, adapts the linguistic conventions of white supremacy. As in: “By the turn of the new century, however, L'Ouverture had sunk those once halcyon days into the sea's black depths.” Or when he writes of the enlightened slaveholder and “man of feeling” Olivier de L'Écart, who aimed “at some future stage...to resolve” the contradiction that shaped his life and in the meantime considered that equality, in practice, “required severe restraint.” Thus Keene opens up the spaces between words and their objects, to create room where fresh meanings can play. And not just meanings.

In “An Outtake From the Ideological Origins of the American Revolution”—another of Keene's whimsically cumbrous titles—he follows the adventures of a boy, later a man, named Zion, born in bondage in Roxbury, Massachusetts, into the household of a “wealthy farmer and patriot” named Isaac Wantone, who, it is hinted, may also be his father. (Keene has frequent fun with names—in “Gloss on a History,” the local hellfire preacher is the Rev. Job White of Hurtststown.) Zion proves a moody child. He does not adapt to a life of forced servitude as graciously as his master might wish. He escapes for the first time at 14 and is caught—and whipped, and whipped again, and locked in a stock and sold—three months later. He escapes again, and again, and again. Each time he does, young Zion makes the most of his liberty: He steals, drinks, gambles, brawls. Once grown, he embarks on “a life of

debauchery...allegedly fathering several children by white, Indian, and Negro women.”

He is caught, imprisoned, enslaved again and escapes again. Zion's is a furious freedom, and not always a pretty one. Near Boston, “he committed lascivious acts just across the county line on the person of a sleeping widow” with the not-incidentally suggestive name of Mary Shaftesbone. Again he is captured, and again he escapes and is captured again and sentenced to death, and all the while the colonies are rising up against the British, demanding something called liberty; and on the previous page, where Keene recounts Zion's public admonition “to all fellow Brothers and Sisters of Africk and otherwise in bondage” that the “only true Liberty lies in holding Free,” he reprints an image of the Declaration of Independence. On the

next page, just before Zion is set to hang, he pauses for a quote from David Hume's *An Enquiry Concerning Human Understanding*, to wit that “the prevalence of the doctrine of liberty” may arise from a “false sensation or seeming experience”—in other words, that though we may feel and believe ourselves to be free, our lives are just as likely to be determined by forces external to them as any dead object is. Zion would surely not agree. He escapes once more, on the morning of his execution. The demands of justice are severe, and “another negro, whose particular crimes are not recorded,” is hanged in Zion's place.

Keene doesn't say what becomes of his protagonist, and that, I suppose, is the discomfiting and profoundly hopeful point: No matter how locked down the world may seem, something always slips away. ■

The Irreconcilables

by URSULA LINDSEY

In the opening of Alessandro Spina's novel *The Nocturnal Visitor* (1979), night is falling on Sheikh Hassan's home in a valley in eastern Libya so small that it fits “in the hollow of a hand.” The sheikh is ready to embark upon his reading, a nightly voyage he takes with his books as “enigmatic traveling companions.” But his reveries are troubled: A crime has been committed in his home. What follows is a series of doubles and double-crosses, in which guilt shifts with each new revelation—a plot that could have sprung from one of Sheikh Hassan's treasured books. A boy in his household, accused of trying to sleep with his sister, is exiled from the valley. In town, he finds another boy who bears a striking resemblance to him and lures him back home to be punished in his place. In doing so, he unearths their secret, shared parentage, and commits an even worse crime. Most of the characters in *The Nocturnal Visitor* discover that their identity—as son, sibling, father—is not what it seemed. Just as the narrative reaches its tragic climax, it abandons the personal and fantastic and enters modern Libyan history. It's 1927, the beloved valley is occupied by advancing Italian forces, and the sheikh must slip away in the night, an exile joining the resistance.

The Nocturnal Visitor has many characteristics of Spina's fiction: the inspiration drawn from Arabic culture (in this case partly from

The Confines of the Shadow

By Alessandro Spina.

Translated from the Italian by André Naffis-Sahely.

Darf. 371 pp. Paper €9.99.

I confini dell'ombra

By Alessandro Spina.

Morcelliana. 1,280 pp. €29.

the great medieval itinerant scholar Ibn Khaldun, repeatedly quoted by the sheikh); the view of literature as a voyage of discovery, and of historical change as irredeemably violent; the possibility of parallel identities. With this last characteristic especially, Spina was borrowing from his own life, for he had several identities of his own. He was born Basili Shafik Khouzam in Benghazi in 1927, the son of a Syrian Maronite who relocated to Libya to find his fortune just as the Italians wrestled the province from the Ottoman Empire. At age 12, he was sent from the Italian colony in Libya to Milan for his education, where he conceived a passion for theater, opera, and literature. He returned to Benghazi to run the family textile business in 1953. He lived independently (he married once, but it didn't work out), and his job provided him with a good livelihood and ample opportunity to observe Libyan society. In 1954, he penned his first story, set in Libya's eastern province of Cyrenaica. He would write of nothing else but Libya for the next 40 years, even after he had to leave the country in 1979 and retire

Ursula Lindsey is a writer and reporter who lives in the Middle East. She blogs at *The Arabist*.

to a villa in Lombardy. It would be an understatement to say that Spina, who died in 2013, took his time with his fiction.

Spina belonged to a set of privileged, wandering, mercantile minorities whose identities could not be reduced to nationalities, and who have been all but swept out of the Middle East by xenophobia, conflict, and ethnic cleansing. Spina aspired to cosmopolitanism but inverted its usual polarities: He liked to shock his Italian friends by telling them that he had “un-provincialized” himself by moving from Milan to Benghazi. His influences and references range from Proust to *The Thousand and One Nights* to the fifth-century Greek philosopher and bishop Synesius of Cyrene. But for all his cosmopolitanism, Spina was not interested in universalism. What he valued, above all, was being unique. He was a Catholic moved by the daily presence of the divine in traditional Muslim society; a successful industrialist who viewed modernization with skepticism and melancholy; a critic of colonialism who was also dismissive of superficial *tiers-mondisme*; and a scathing critic of the silence of all Italian political factions regarding the country’s colonial crimes. The nom de plume he adopted—*spina* means “thorn”—suited him perfectly: The Italian he wrote in is exquisite but prickly. His sentences are thickets, dense and erudite, demanding to be reread. But his sharp, poetic images lodge instantly in one’s memory. “The cold hand of that old man an unbreakable dam” is how he describes the severe and orthodox teacher who curbs the young Sheikh Hassan’s flowing curiosity in *The Nocturnal Visitor*. Spina abhorred shortcuts and banality—journalists, whom he viewed as purveyors of the commonplace, were his bêtes noires. And he didn’t think of difference as something to be dismissed or overcome. “Nothing is more fruitful and more vital than the irreconcilable,” he wrote.

Spina can be counted among a small group of expatriate writers who are hard to classify: Home is a place they have made for themselves at the intersection of East and West. One thinks of Paul Bowles in Morocco, or of Albert Cossery, who was born in Cairo of a Francophone Orthodox Levantine family in 1913, moved to Paris at 17, and then spent the next half-century writing wonderful satirical novels in French that are not only set in Egypt but are also deeply Egyptian in their cynicism and humor. There is also the Egyptian writer Waguih Ghali, whose *Beer in the Snooker Club* (1964) is a deceptively lighthearted gem written in English and featuring a penniless upper-class layabout bumbling around Nasser’s Cairo. These writers have never

found a place in the Arabic literary canon, not only because of linguistic barriers, but also because they have little respect for nationalist orthodoxies. And they haven’t always found the audience they deserve in the West.

Spina’s opus is the colonial epic *The Confines of the Shadow*, a cycle of 11 novels and short-story collections that offers a deep and singular account of the great historical fractures that preceded the establishment of Moammar El-Gadhafi’s Jamahiriya in 1977. A first installment, *In Lands Overseas*, containing three novels—*The Young Maronite*, *The Marriage of Omar*, and *The Nocturnal Visitor*—set during the Italian conquest and early occupation from 1911 to ’27, is now available from Darf in a translation by the poet André Naffis-Sahely. Two further installments focus on the brief golden age of the Italian colony, in the 1930s, and on the period of independence leading up to Gadhafi’s bloodless coup against King Idris in 1969. *The Confines* is a reminder, among many other things, of the radical transformations that Arab countries experienced in the 20th century—and that have continued to the present day, since Libya after Gadhafi’s fall has become a terrible new place.

In his lifetime, Spina saw more than one world end. When he realized that the establishment, development, and collapse of Italy’s Libyan colony were to be the focus of his life’s work, he began reading everything he could find on the subject. This research informs his first novel, *The Young Maronite* (1973), in particular. In it, we are treated to jaw-dropping quotations from Italian officials following the 1911 invasion (these have been removed from Darf’s translation—“a fairly daring choice,” writes Naffis-Sahely, intended to keep the flow of Spina’s prose unimpeded). In February 1912, Prime Minister Giovanni Giolitti told the Italian Parliament, to applause: “I wish with all my heart that the world may have only colonial wars, because colonial war means the civilization of populations that would otherwise go on in barbarism.” It is estimated that the concentration camps set up in 1931 to finally vanquish the rebellion in Cyrenaica killed between 40,000 and 70,000 residents of that region.

Supporters of the war celebrated their homeland’s new *quarta sponda* (fourth shore), while the opposition mocked the conquest of a *scatolone di sabbia* (big box of sand). Italian newspapers described the invasion in the excitable language of rape: “We have all throbbed with resurgent pride, following with the eye of the soul our generals and admirals as they subject land and

sea to their crude wishes.” Libyan resistance erupted and would last another two decades. The Italians responded with bloody, indiscriminate reprisals.

The Young Maronite approaches the question of colonialism from all angles, as it were: historical, allegorical, psychological, and satirical. It weaves together an Oriental tale of a powerful merchant and his unfaithful child bride; the stylized conversations of Italian officers; and the story of a young Maronite immigrant with a business to run, an irresponsible brother, a loyal servant, and a tiresome uncle.

Spina’s first aspiration was to be a playwright, and the theater is one of his principal metaphors for the colony—a stage across the sea on which Italians act out their fantasies. This vision seems to presage the work of Edward Said, with its emphasis on the rhetorical and representational violence that provides the intellectual underpinning of colonialism. But Spina is less interested in the way that the arts and scholarship can serve political power and more in the way that individuals react when another culture, distinct and self-sufficient, poses a challenge to their identity. He perfectly captures the twisted logic of colonialism past and present, which to justify itself first insists on a fundamental difference between “us” and “them,” and then insists on annihilating that difference.

But Spina was a product of the Italian colony—he owed it his education and his inspiration, what he called his *destino*—so he was interested in more than just condemning it. He reserves his greatest contempt for those foreigners who have no interest in Libya, who either don’t seem to notice it (such as the professor who arrives in Africa “like he had moved from one floor to another”) or who want to destroy it (such as the official who speaks optimistically of the day when Libyan society—a building from which “we remove a stone every day”—will collapse). Spina saves his sympathy for those who wish to force their way into Libyan culture, even as they know their wish to be foolish and culpable. More than once, he compares the distance between natives and colonizers to that between audience and actors. Captain Martello (his name, meaning “hammer,” suits him well) is seemingly driven mad by his unreasonable desire to be granted a role within local society. A fellow officer later says of him: “But what estranged him from us? Encountering a world governed by different laws, the legitimacy of such a society, the irredeemable sin of our attempt to destroy it? It’s as if he’d stumbled into an opera house for the first time in his

life and was confronted with a reality that followed its own rules: Instead of sitting back and enjoying the show, he suffered an identity crisis and could no longer draw any comfort from being a spectator.”

In *The Young Maronite*, the deranged Martello arranges to have his local antagonist arrested. But even as the man awaits execution, Martello cannot get him to answer his questions. Instead of playing the leading role in his dream scene, the colonizer is stuck in a monologue. Although all-powerful, he remains unacknowledged. The two characters have only one thing in common: “They were acting on a strongly inclined stage,” Spina writes, slipping toward “the well of the death.”

Spina’s prose itself is theatrical. He can set the stage quickly, whether writing about Arab countries where “the police [are] as observant as a mother” or a spacious office with that “patina of neglect that in Africa ends up vengefully reaching all pretentious surroundings.” His stories have great beginnings and endings, the curtain snapping open and shut upon dramatic scenes; his characters make memorable entrances. Here’s one: “Thin, nimble, nearly eighty, moneyed, troubled by multiple cravings, not even death dared bar his way.” Of a shortsighted secondary character, Spina writes: “His myopia forced him to narrow his eyes and the mind ended up making the same movement; he always feared something was being hidden from him.”

Spina’s descriptions are sharp and elliptical, but his dialogue can belabor the point. Most everyone—merchants, Italian officers, married couples going to bed—is improbably cerebral, eloquent, and self-conscious, sharing a tendency to tell a story and then dissect its meaning at length. But the originality of Spina’s vision, the strength of his voice, compensates for the occasional longueurs. It’s hard not to admire a writer who sets a tribute to a Mozart opera in the house of an Italian vice governor in 1920s Benghazi, and then gives that story a tragic ending in which it is the ancient local customs—the apparent opposite of high European culture—that offer meaning and succor.

This is what takes place in *The Marriage of Omar* (1973), set in the divided Libya of 1920. The Italian governor is ruling from Benghazi, and Sidi Idris al-Senussi, the head of the Senussi dynasty and Sufi order and future Libyan king, is governing from Ajdabiya. Exhausted by World War I, Italy is prepared to grant Libya a degree of independence. The young Omar, a servant in the vice governor’s

house, is preoccupied with remarrying a wife he has repudiated; he is torn between his friendship with Antonino, the vice governor’s young nephew, and the authority of his sulky, charismatic cousin, Sharafeddin, who rejects the foreigners’ presence. The vice governor supports Italy’s more conciliatory approach, but his wife questions this supposedly benign plan, warning him there is something “demonic” in the attempt to convince Libyans that “it’s in their best interests to stick with us,” that “trading their freedom for economic, medical and educational advantages is a good deal for them.”

The young Antonino, charming and free to cross most of the colonial society’s thresholds, is of course doomed, as is the brief attempt to find a more equitable, peaceful way forward. When he dies suddenly, the bereaved masters are consoled by the household staff. The Libyans’ condolences—formulas full of ancient authority, resignation, and resilience—light the way in a house fallen into darkness.

The epilogue takes place in Milan in 1931. Mussolini has been in power for close to a decade, and has violently crushed the Libyan uprising. The vice governor is walking home from a dinner party of liberal anti-Fascists, where he was the only one present who seemed to be aware that two days earlier, the 74-year-old leader of the Libyan resistance, Sidi Omar al-Mukhtar, had been hanged. “The Count was astonished,” Spina writes, “that his anti-Fascist friends hadn’t mentioned that murder during their noble, scholarly, and passionate discussions.”

For his part, Spina argued that Italian fascism was born in the colonies and committed its worst crimes there. He couldn’t forgive the Italian left for its silence on colonialism, for drawing no parallels even as it told the story of its own persecution under fascism and celebrated its own resistance. To Libyans, one character points out, there is no difference between the Italian right and left; they both have the same guilty past—and the same blank memories. It’s a lacuna that continues more or less to the present day, even as the Italian political class and media fret over the migrants and terrorists who might be headed for their shores from Libya’s ungarded waters.

It’s tempting to ascribe Spina’s lack of an Italian audience to the country’s Libyan blind spot. Spina isn’t just unknown to English readers; he’s virtually unheard of in Italy as well. His books are hard to find, although he won a major literary award in 2007. Alberto Moravia told Spina that no one in Italy would read a book like his, and he was more or less right.

The long middle section of *The Confines* is composed of several collections of short stories set in the years just before World War II. For hundreds of pages, time stands still. The war looms, but in the meantime the narrator lingers along the Corso, gossips in the cafés, walks under the oleanders of the public gardens, picnics at the ruins of ancient Greek colonies, and takes refuge during the afternoons from the blinding, blistering Libyan sun. This is a small world, and its main stage is the Officers’ Club, where the productions are always teetering between melodrama and farce, and the audience is intent on pretending that the curtain isn’t about to fall. Spina’s own reluctance to close this chapter suggests his mixed feelings toward this period, the era into which he was born.

And then with a jolt it all slips into gear again, and history is in motion, running not just fast but almost off the rails. *The Psychological Comedy* (1992) chronicles the Italian evacuation; *Entry Into Babylon* (1976) is a story of the shifts in power, generational conflicts, and new politics that follow the end of colonialism. Now it is the Libyans’ turn to travel to Italy, register their own impressions, and make their own arguments, as Ezzedine, the Libyan protagonist, does on a trip to Milan in the late 1940s. His visit produces some disconcerting exchanges:

“Mr. Ezzedine is also a lawyer,” Nina interrupted her.

“Is that so? Where did you study, in Benghazi itself?”

“I studied at home,” said Ezzedine. “During colonization we weren’t allowed to attend universities.”

The old lady looked at him with surprise, as if she had heard a far-off thud.

“Oh bella! But weren’t we in Libya to promote civilization!”

Critical as he was of colonialism, Spina was also skeptical of the revolutions, coups, and nationalist regimes that marked its end in the Middle East. In his collection of essays, *Intellectual Hospitality* (2012), he writes: “The miseries of the colonial era (sordidness, uncivil condescension, criminal crumbling of others’ civilizations...) have been replaced, among European professors in need of active participation, by an aggressive, blackmailing wishful thinking about subversion: revolution as cure-all, just as once for every ill we prescribed bloodletting.”

Spina’s sympathies lie with the old, elegant, complacent world that is under attack. In the excellent *Cairo Nights* (1986), a wealthy Coptic Egyptian family nervously and defiantly

waits to hear if its business has been nationalized by Gamal Abdel Nasser. The Egyptian leader is presented as uncouth, greedy, and disingenuous, his nationalist tirades another simplistic kind of theater. Spina thought post-independence regimes were a continuation of colonialism more than a corrective to it, because they often accelerated the process of modernization that foreign invasion had set in motion. Although there are huge differences in style and references, one finds similar preoccupations in the work of the great Libyan writer Ibrahim al-Koni, whose oeuvre charts the disintegration of the country's nomadic, tribal, and mythic culture under the impact of foreign intrusions and then of oil wealth. One of Spina's characters argues, speaking of post-colonial Libya: "The country is losing its life center, the sacred world of the fathers. Having adopted the ideologies, the structures and the techniques of others, it's wearing itself out in a sterile antagonism with the outside world."

Spina wasn't too sentimental about this lost world or the fathers who ruled it. He always includes two sides to the conversations he stages, and he himself pointed out that while, as a writer, he eulogized traditional Libyan society, as an industrialist running a large factory in Benghazi (the first to employ women), he hastened its demise. Yet he disliked the new world that was coming into being—one both ever-changing and composed of interchangeable parts. He was always looking back, not so much out of nostalgia as contrariness.

All the characters in Spina's final, remarkable novel, *The Shore of the Lesser Life* (1997), are in motion, slip-sliding between relationships, countries, identities, and jobs. It's the 1960s, and the bronze statues of the wolf of Rome and the lion of San Marco that once adorned a pair of columns along the sea in Tripoli have been dumped in a wild field at the edge of the zoo. Everyone listens to Nasser's speeches on the radio, while the soon-to-be-deposed King Idris rules from secluded palaces far from the capital. Oil has been discovered, and the promise of extraordinary wealth has made the future hazy with possibilities. Young men have ideas, fathers grow uneasy, and foreigners think that if they just show up, they can cash in. Everyone is on the hustle, trying and generally failing to make the most of their chances.

Gerard Conti, the author's alter ego, is a young Frenchman who dreams of entering "all the houses of the city like a guest before whom there's no need to change one's voice, to defend or sell cheap one's symbols." He quits the foreign service on a whim, takes a

job with a charismatic Libyan businessman, and, to the consternation of his relatives and friends, hands himself over to the daily adventure of living in Libya. Genuine travel abroad must involve a loss of time and opportunities, Spina suggests, an alienation from the understanding of others back home.

In the bitter, scrambling, pathetic Pierre Dexais, Spina paints a darkly funny and surprisingly moving portrait of fallen colonial elites. Pierre is a would-be businessman and amateur spy, and his indignation and nostalgia are entirely self-interested. He is outraged at the "weakness" of Europe's strategy toward its former colonies, which he equates to his own ongoing loss of status. The representatives of Western powers have become shopkeepers, "ready to swallow any humiliation to make a few more bucks," whereas Dexais dreams of witnessing European cannons firing on an African port once more, "and with two shots knock down a tower or sink an anchored ship."

After one of his many ill-advised get-rich-quick ventures is exposed, Dexais is dressed down by Sua Eccellenza, a Libyan

minister who has modeled himself after the former colonizers. The minister first appears as a comic figure, a man whose greatest pleasure is hearing his title spoken when he stays at fashionable Roman hotels, an "insatiable spectator of himself." But it troubles him that his sons, possessing privileges and an education he never had, seem to understand nothing of his past, of the "misery, colonial humiliation and collaboration." His estrangement from them saps his optimism and his worldly ambition. By the end of the book, circumstances have reduced him to being Salem, a bereft father.

He and many other characters are players in yet another decidedly petty, always human scramble for Africa—even as another great upheaval approaches. Its most likely survivors will be the book's cynical and philosophical underlings. There's a laughing chauffeur who can predict the future, as well as an "usher who had seen rise, fall, rise again and disappear so many figures that he had acquired the science of a puppet-master, the culture of a historian and the skepticism of an undertaker." That could be Alessandro Spina. ■

Lost at Sea

by MICHAEL SORKIN

I taught in Boston for the spring semester and commuted from New York City on the shuttle. The university discount applied only to the lower-rent US Airways version, which meant that the free in-flight reading material was somewhat limited, and as a result I was stuck with *The Wall Street Journal* and *The New Criterion*. Why the right is more inclined than the left to gratis distribution to this particular commuter demographic is a mystery, but I dutifully took my trips on wings of freebie reaction.

The New Criterion published two articles about architecture during the term; curiously, both were about museums designed by the Italian architect Renzo Piano: the Fogg Museum in Cambridge, Massachusetts, and the new Whitney Museum of American Art in New York City's meatpacking district. Previously, the journal had enthusiastically supported Piano, covering his "splendid" modifications to New York's Morgan Library in 2006 and his "masterpiece" addition to Fort Worth's Kimbell Art Museum in 2014. But something has changed. The review by Peter Pennoyer, a New York architect practicing in the "classical" manner, of Piano's upgrade and expansion of the Fogg is chilly. Focused

on the suture of modernity and "tradition," Pennoyer—bemoaning "exquisitely detailed stone aedicule balconies" threatened by the proximity of a new wheelchair ramp—overvalues the tepid 1927 building, itself much of a muchness with other Georgian-oid construction from Harvard's Roaring '20s boom.

To his credit, Pennoyer also decries another ramp, this time on the back side of the building—a wretched and trivializing extension of the great bifurcating distributor of the Carpenter Center, Le Corbusier's masterpiece next door. And he nails many of the Fogg's deficits, from its graceless facades and crude negotiation of the old/new seam to its indifferent finishes and tepid circulation (although calling the main stair "anti-humanist" is over the top; "too narrow" would do). He also rightly points out that the most habitable new space in the building is the conservation area under its huge glass roof, a spacious working environment with killer views, far more "functional" than the rather dour new galleries.

Tarring the whole by praising the incidental success of some use ancillary to the actual display of art (the staff quarters, the views, the café, the comfy sofas) is a critical



The Whitney Museum of American Art.

strategy that recurs in almost every piece written about the Whitney, including one by *New Criterion* executive editor James Panero. His animus is freer-floating than Pennoyer's, perhaps because there's no literal victim to be defended. In lieu, he idealizes "the museum" as a place of "elevated design," one that embodies "coherence, symmetry, and a sensitivity to materials." The Whitney thus fails on two counts: as a flunky within a Platonic category, and also by falling outside it. It's a building of a completely different type. Whatever "this construction resembled...it clearly did not look like a museum...hospitals, prisons, cement plants, Fukushima, and Eastern bloc governmental agencies all come to mind." Although Panero lands a few commonplace blows about the behavior of the building, his architectural argument relies almost entirely on whimsical simile: The Whitney can't be a decent museum because it looks like something else.

This argument is crude. Truly invidious, however, is Panero's bigoted critique- by-association. The wrong money is behind the Whitney; none of its founding board members were "A-list"—"not Rockefellers, Morgans, Fricks, or Mellons, but Kozlowskis." For Panero, this déclassé tradition still abides in money from the lesser of the Lauder brothers and the likes of "Neil Bluhm...

a self-made real-estate and casino magnate whose suit jacket was stuck in his pants when he began his opening remarks during the museum's press preview. As a prominent Obama campaign bundler, Bluhm's political contributions, no doubt, did little to hinder the museum's successful effort to get an inaugural blessing from the First Lady."

While this is odious, architectural criticism must account for the full range of a building's affect and effects: social, functional, aesthetic, and contextual. Provenance matters. But Panero's piece—with its defense of "elevated design"—is clearly also meant as riposte to the functionalist aesthetics that have dominated virtually all of the building's critical coverage to date. *The New Criterion's* flatulence over symmetry and coherence is not simply neocon nostalgia for the eternal verities; it reflects a more general impoverishment of critical interpretation. Critics of the Whitney have made this problem particularly clear by their tendency to heap praise on the galleries while expressing indifference or hostility toward the building as a whole—a schizy split often reflecting a division of editorial labor in which the art critic cheers how great the art looks and then hands off to an architecture critic to trash the structure that houses them.

This focus on the mismatch between inside and out is ubiquitous. Holland Carter divvies it thus in *The New York Times*: "From

the outside, Renzo Piano's new Whitney Museum of American Art, set beside the Hudson River, has the bulk of an oil tanker's hull. Inside is entirely different." Pete Wells's review in the same paper of *Untitled*, the Danny Meyer restaurant on the ground floor, repeats the trope of the marginal building as container for marvelous art: "All the energy and beauty...are on the plates." In her *Times* piece, Roberta Smith loves the inside, asserting that the building "accommodate[s] art and people with equal finesse.... Art looks better here, to my eyes, than it did in the old Whitney, and it is amazingly comfortable to be in." Back on the sidewalk, though, Smith writes that "the outdoor staircase epitomizes the operative and symbolic logic of Mr. Piano's design," calling it "the most aggressive part of the multiple components that make the building a kind of architectural assemblage. From the street, the switchback juts over the building's east face like a fire escape on steroids or a fragment from an aircraft carrier." This seems a pretty unbalanced idea of assemblage and the elusive compound wholes it seeks; instead she sees—perhaps because it's architecture—something put together with the wrong parts and assembled into the wrong thing.

This idea of faulty assembly is given an even stronger workout by Justin Davidson in *New York* magazine (in a piece juxtaposed with a rave from art critic Jerry Saltz). While Davidson is happy inside, praising the wide-

open galleries' potential for creative curating, finding the current installation inviting, and relishing the organization of circulation and the stepping terraces (never mind the de rigueur references to cruise ships and fire escapes), he is much vexed with the ungainliness of the physical ensemble, an "awkward kit of protruding parts and tilting surfaces," and describes the building as something that "might have arrived in an IKEA flat pack and then been prodigiously misassembled" into a "deliberately clunky building." Davidson, a far subtler and gifted critic than Penoyer, also finds the building overwhelmed by the ancillary, a "symphony full of rests," a "wonderful place for people who get easily bored by art."

The *Times's* admirable architecture critic, Michael Kimmelman, is more tempered but also falls back on generic tropes. Seen from the west, the museum is "ungainly and a little odd, vaguely nautical, bulging where the shoreline jogs, a ship on blocks, perhaps alluding to one of New York's bedrock industries from long ago." On the other hand, "From the north, it resembles something else, a factory or maybe a hospital, with a utilitarian wall of windows and a cluster of pipes climbing the pale-blue steel facade toward a rooftop of exposed mechanicals." Fire escapes also get the obligatory mention. (I myself find the outdoor stairs unlike fire escapes, which—in their classic New York incarnation—are grafted directly onto the vertical surface of a building.) Kimmelman's a bit easier on the seasonality, discomfort, and disconnection of the circulation but is skeptical—correctly, I think—of the constraining "flexibility" of the big gallery spaces. Indeed, in the opening show, these have been converted into a totally standard-issue set of enfiladed Sheetrock rooms, with pictures hanging on the walls. Kimmelman also invokes old/new-money class warfare, noting that among downtown's financiers, "Hollywood stars and other haute bourgeois bohemians stand in for the old Social Register crowd."

Virtually all the criticism I've read sees the Whitney's social effects either in this sort of passing parsing of patronage or as the consummation of the gentrification of the meatpacking district and Chelsea, on par with the High Line, for which it provides a literal culmination. Barry Schwabsky, writing in this magazine ["Inside Out," May 25, 2015], riffs on a 1971 Hans Haacke documentary takedown of a slumlord included in the show and discusses the gentrification of his old neighborhood on the Lower East Side. Peter Schjeldahl concludes his *New Yorker* review by observing that the museum will quash the chances of any "young artists,

writers, and other creative types" to live anywhere nearby. Holland Cotter, too, invokes this eliminationist trope, describing Chelsea as "the precise opposite" of an artists' neighborhood: "a gated community." And, for good measure, he mentions that there's only one Native American included in the show.

But let's get back to Roberta Smith's aircraft carrier. I found it surprising that no critic has mentioned the gigantic example 35 blocks upriver: the USS *Intrepid*. Closest was Robert Bevan in *The Architectural Review*, who (while also comparing the building to a "swish hospital"—what's

Memphis

1

To set all four paws on an upturned tub
and not topple over was as much as I could manage
even when I still strode into battle with my lord Ramses.
Mite-ridden then, raw with mange,

I became a mascot for Amenhotep,
no less integral to his menage
than any of the menagerie lounging on the ramps.
The sawdust-stuffed baboons were known to munch

on peaches by the bushel, so their urine
was notably high in cyanide.
After a last ration of beer flavored with aniseed

I was set down between a giraffe and a rhino.
My face was recasting itself from the one I'd been assigned
to the face of a Pharaoh from the Fourth Dynasty.

2

My face was the face on the royal sarcophagus
I'd guarded for many an age, my haunch the lion-haunch
of the sun-god, Sekhmet.
All I had to go on was the hunch

that if I could but focus
on the task I might eventually will the hinge
of my knee to move. I'd already consulted the schemata
of the necropolis so was able to inch

past the pyramids,
then make my way through thorn forests,
the arid patches, grassy plains...

Now I've followed those trademark red triangles on beermats
to a sawdust ring where nightly I'm forced
to set all four paws on an upturned tub and hold my balance.

PAUL MULDOON

up with the hospital thing?) writes that “the model is not, as some have said, the post-industrial loft or even the white cube but the aircraft hangar.” Indeed, the *Intrepid* does have a vast, column-free hangar deck (with the capacity of many Whitneys) and also harbors, on the flight-deck “terrace” above it, a brace of aircraft that we assimilate, in their inoperability, as functionalist “sculpture” of tremendous refinement and even beauty. The *Intrepid* is thus a genuinely floating object that can unmix the prolix critical/nautical metaphors directly. After three decades in service, the ship’s many appurtenances—gun emplacements, conning towers, radars, antennas, elevators, stairs, and much else—encrust the smooth symmetries of its hull. While seemingly added (assembled) at random, these features have been rigorously calculated not to disturb the ship’s balance, thereby offering us a genuinely functionalist working method and a resulting visuality (also always tested by its operational efficiency) that is, by definition, completely succinct.

Virtually every critique of the Whitney founders here, by confusing functionalism’s aesthetic of pure consequence with some other formalism. Because the Whitney cannot easily be compared to any single ready-made icon, each critic thinks, if sometimes restively, within the nominal confines of functionalist judgment, while seemingly blind to the fallacy of trying to account for the good galleries/bad building argument within this same system. Such confusion is a testament to the Whitney’s actual functionalist successes: Like the *Intrepid*, it yields disquieting and unfamiliar formal results. Schwabsky, perhaps, gets closest, finding the building “neither visually dazzling nor particularly elegant; nor is it the sort of shape-as-logo design that makes its mark on the city as a graphic silhouette. It is not architecture trying to be sculpture.” Although he describes the museum’s appearance as “nearly anonymous,” Schwabsky finds the galleries impressive and, without inconsistency, calls the Whitney the “best place to see modern and contemporary art in New York City.”

The problem with the compositional reading of functionalism is that it’s completely at odds with functionalism’s nominal aesthetic—with “form follows function,” to coin a phrase: the idea that the succinct, economical accommodation of some set of literal operations is the ground on which appearance is constructed, understood, and judged. By these lights, a diesel engine, a band saw, or an assembly line couldn’t care less about harmony, proportion, rhythm, coherence, symmetry, or any similar valorizing criterion

drawn from the other arts—say music or poetry or old-master painting. In fact, few functionalist architects, proudly declaiming their inspiration by non-architecture, have had the courage of this particular conviction. “Functionalist” architecture has been dominated not so much by a genuine machine “aesthetic” but, on the one hand, by the minimalism of the undecorated and repetitive mass-produced building block, imprisoning some robotic fantasy of subjectivity degree zero; and, on the other, by the forms of a very specific category of machines—aircraft, ships, and automobiles, devices in which there’s a premium on the smooth curvatures of hydro- or aerodynamic streamlining. Criticism that insists the Whitney cannot be described *sui generis*, that the only way in is by comparison to either another kind of building or another kind of object, ends up treating buildings as sculpture, as form stripped of any actual function save to be looked at.

The true high-water mark in Whitney crit has to be Ingrid Rowland’s shipwreck in *The New York Review of Books*, which completely drowns in nautical-metaphorical overdetermination. “Piano himself has repeatedly described the Whitney project as a ship. A native of Genoa, the hometown of Christopher Columbus, he knows a thing or two about navigation; thus his latest structure’s similarities to a seagoing vessel are neither casual or superficial.” Rowland doesn’t actually specify why this is the case, save to suggest that “the building, like a ship, is made of a steel frame, sheathed in steel panels,” which, of course, also makes the building a lot like... a building. In the more directly mimetic realm, however, she’s more precise: “approaching from its east side...it looks like a cruise ship.” But “from the harbor side... the museum reads as a container ship piled high with the portable freight units, dazzling in their simplicity, that have transformed international shipping.” She reminds us too—with weird redemptive imputation—that “the *Titanic* was to have moored just a few blocks to the north (and along this much altered riverside my family and I boarded an ocean liner bound for Naples in 1962).” The metaphor pitches as it burgeons. Rowland writes that the building “was designed from the inside out”—precisely not how a ship is designed—and claims that “the interiors make more sense as isolated individual units than as an exterior shell that sometimes looks as stern and irregular as the upper parts of a battleship—for the Whitney Museum is a bit of a seagoing destroyer as well.”

Cruise liner, container ship, battleship, seagoing destroyer: I’m swamped.

But she’s barely under way. “Ships must be sleekly streamlined to slip through water, but the water also buoys them up, cushioning them from the pressures of gravity. In its landlocked position, therefore, the Whitney is another kind of vessel, forced to sustain its stack of containers between land and air; if this terrestrial ship is going to sail at all, it must anchor its airy steel-frame galleries to something substantial.” (By which, of course, she means the ground; and one hopes the anchoring will be sufficiently robust to keep the building from actually floating away come the next Sandy.) Rowland sails on with her unpacking of this stability/motility conundrum, calling out the building’s “array of steel columns, some hollow, some solid,” and other structural features—including a concrete core that “rises visibly like a bunker on the building’s north side”—before declaring that it is precisely Piano’s decision not to pack the museum’s interiors “into a more compact, shipshape arrangement” that prevents it from having “a more coherent profile on the New York skyline.”

The functional gain here is rather modestly described as follows: The “variegated pile of separate pieces is a good-enough solution to the basic problem of showing a great profusion of artworks.” Rowland finally concludes that because of the absence of “the ocean liners that once docked along the Hudson, slotted into their massive steel piers, the Whitney makes for a more striking object in the cityscape, but it is, despite its bulk, a relatively quiet presence.” She works the image to the end—with pauses to describe the outdoor stairs that deliberately evoke “the fire escapes that zigzag across the red brick facades of onetime meatpacking facilities” (this just after describing how the museum’s frame has “been painted a pale shade of robin’s egg blue, to harmonize with the sky”). Rowland is totally gripped by ships—like that poor soul tied to the mast of the *Hesperus*—and even the Whitney’s inconsistencies send her cruising: “on any ship, some decks are more glamorous than others” (that class thing again!) and, on the USS *Whitney*, perhaps most fabulous of all is its “concrete heart, where the thrum of the engine room keeps this whole gigantic vessel on course.” Well, perhaps not so glam as the eighth-floor café’s balcony, “where you can, if you like...stand in a tiny crow’s nest and pretend that you are Leonardo DiCaprio and Kate Winslet breasting the North Atlantic from the deck of the *Titanic*...”

Critic overboard! ■

Pop & Circumstance

by JOSHUA CLOVER



Andy and Lana Wachowski.

THE PRESTIGE SERIES *SENSE8* STARTED streaming in June and has been renewed for a second season. Sprung from the Wachowskis' imaginations and Netflix's deep pockets, it is visually extraordinary; it looks, in the words of a friend, "like hi-def cameras had hi-def cameras." It is high in concept and low in blemishes. It is also terrible.

The plot defies summary. The setup is all. Eight main characters, each in a different world city, provide all kinds of demographic diversity: perhaps a device for aggregating audience fractions, certainly the basis of the show's enlightenment. London: DJ! San Francisco: transwoman hacker! Nairobi: driver of colorful jitney! Chicago: cop! Mumbai: woman in arranged marriage! It's like a parody of cosmopolitanism culled from a progressive in-flight magazine.

The eight become cognitively entwined—"sensate"—most often in pairs but sometimes more elaborately. Each can share another's immediate senses and capacities and can communicate intimately at great remove. The eight form a telepresent global network. Like Facebook.

But that's not quite it. The skill transfer is crucial, not least because the eight are often imperiled, sometimes for being sensates and sometimes because life is cheap in Nairobi. Repeatedly a character will escape a jam via sudden access to another's gift for stunt

driving or kickboxing or some other major life skill. This has been a Wachowski theme since *The Matrix*. Surely no one has forgotten the most excruciating line of that film, delivered when Neo, awakening from a brief informational trance, declares, "I know kung fu." Multiply by eight.

This might have made for an interesting allegory along the lines of *Black Mirror*'s implacable extrapolations of present technologies: a meditation about online learning and the new economy, about precarious life and constant retraining in an age of scant job security, about how flexible existence requires a new consciousness, a changed sensorium. Sure, we already had *Dollhouse*. Besides, such a show would have been didactic and annoying. What we get is worse.

The killer app of this cognitive tangle is the pure empathy that is sensate sex. Given nearly unrestricted access to one another's consciousness, the pairs veer swiftly toward coupling, virtual and otherwise. It's super-intense. But wait, there's a kicker! Because it's possible for one to be sensating another who's in bed with a third, it's sort of a globalized cuddle puddle in which, hypothetically at least, everyone is everybody's sexual partner. Quoth Neo: *Whoa*. And because our demographically diverse crew is thrown together by chance but connected at a level beyond superficial things like race or gender or religion or sexuality, they realize that the current snares in which

they find themselves—closeted, celibate, did I mention arranged marriage?—are social diminishments from which they may wrest free to be their full, true, unfettered selves. And by extension, to summarize the show's thudding moral lesson, so might everybody else. Emancipation all around.

One might respond that this is a falsehood, that such barriers have real structural force in the world that cannot be dissolved with a shrug or a hug. That the difficulties faced by black or trans people are irreducible to bad mental constructs. This would be to point out again that culture provides imaginary solutions to real contradictions, a knowledge that by now we all carry in our bones. The truth behind the lie, however, is often less troubling than the truth in plain sight.

Sense8 suggests that real freedom and the end of injustice lie just on the other side of liberal pluralism and diversity discourse. If we could all transcend our prejudices, could recognize one another equally as part of the human tribe, we would not be constrained by our differences, nor blocked from our happiness. We would be happy all the time in our difference. The immiserations of society would finally be overcome.

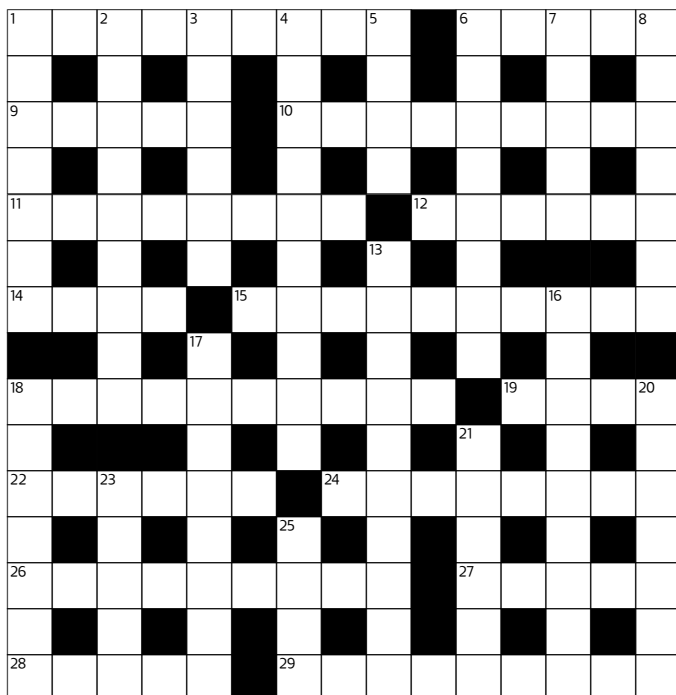
But in the show's allegory, what is not overcome? What does not happen? There are many answers, but let's choose just one.

Over three weeks last year, in separate incidents, the Chicago Police Department shot Denzel Ford, Roshad McIntosh, and DeSean Pittman, killing the latter two. The police murder of Rekia Boyd in 2012 remains a touchstone for antipolice struggles. There are more names. This is the world. The primary job of police officers is to manage certain populations on behalf of others. Chicago cops have outkilled those in every other big city; more than 90 percent of the dead are people of color. If *Sense8*'s Chicago cop, Will Gorski, suddenly had total cognitive empathy with a bunch of not-white people, is it too much to think that the very first thing he would do is turn in his badge?

But this he does not do, and so *Sense8* tells not a lie but an absolute truth. It shows us what can change and what cannot, even given the perfect inclusion and fully realized diversity discourse that provide a politics so convivial for networks and corporations. Nobody gets to leave their job, even if that job requires the enforcement of exclusion and antiblackness. Everybody might feel liberated; the state's guns stay loaded. A liberal audience might find the show insightful, pleasing, original. But it is the saddest story in the world. ■

Puzzle No. 3375

JOSHUA KOSMAN AND HENRI PICCIOTTO



ACROSS

- 1 Torn-up shoestring subjected to review (9)
- 6 God's way to tell a mug from a demitasse? (5)
- 9 Helps Japanese prime minister with empty threats (5)
- 10 Run my bath? That's crazy—say there are alligators in the sewers (5,4)
- 11 DIY garden tool is getting me angry (8)
- 12 Middle Eastern queen: an electronics pioneer (6)
- 14 That woman would lose small storage structure (4)
- 15 Indigenous Canadians accepting trees' eerie quality (10)
- 18 Loopy, confused, uncouth lot (3,2,5)
- 19 What Fitzgerald did well: go away (4)
- 22 Rat can help cop become this! (6)
- 24 Community of learners directed a taxi most of the way west (8)
- 26 For example, de Klerk stuffing 33 percent of kangaroos into a chicken (9)
- 27 Raised objection about the Italian (5)

- 28 Restaurant remodeled in red (5)
- 29 Rider's communication device holding Eliot back (9)

DOWN

- 1 Fish, see, feels pain (7)
- 2 Churned ice stream is smoother than all others (9)
- 3 Once again, add a bit of experience for curriculum vitae (6)
- 4 Loud, grand claims under suspicion at first (10)
- 5 Obligation extracted from last Bedouin upon returning (4)
- 6 Drug may snatch lives (8)
- 7 Parts of a kingdom covered by pornography laws (5)
- 8 Cruise had brought up flowers (7)
- 13 Volunteer group singing printed music about green vegetables? (5,5)
- 16 Men, pacing all around and putting up tents (9)
- 17 Farm animal (a pig) decapitated by fellow laborer (8)
- 18 Where you might grow a fruit or a vegetable (7)
- 20 Outside of theater, a performer's vehicle (7)
- 21 Nontoxic or toxic, I bleed (6)
- 23 No politician ascends to be president in South America (5)
- 25 Running back offers harsh criticism of football move (4)

SOLUTION TO PUZZLE NO. 3374

ACROSS 1 [s]AFAR[j] 4 MA(NIFE)STS (fine anag.) 10 LAN[e] + DOWNER 11 hidden 12 TRA + ITOR (rev.) 13 "humorous" 14 NEEDLES + SLY 16 [j]IFFY 18 initial letters 19 SHRINK "rap" 24 R + ALLIED 25 FL + OUNCE 26 initial letters 27 NE(VERMIN)D (den rev.) 28 MUSC (anag.) + L + ECAR (rev.) 29 LPL + Y

DOWN 2 FUND + AMEN + TALISTS (anag.) 3 anag. 4 MAN + TRAS (anag.) 5 NAR (rev.) + W + HAL 6 FOR + U(M)S 7 anag. 8 SA(TISF)Y (fist anag.) 9 GLUT + [z]EN 15 S + I + R 17 O(KCOR)RAL (rock rev.) 18 pun 20 anag. 21 INF(A + V)O + R 22 anag. 23 DIES + EL



Kosman & Picciotto explain what they're up to at thenation.com/article/solving-nations-cryptic-crosswords/.

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You deserve a factual look at . .

Who Are the Indigenous People of Palestine?

The Jewish people have lived in Palestine continuously for more than 3,000 years—far longer than any ethnic group. Why do Arabs deny this history?

Many Arabs and anti-Israel activists claim Palestinians are the true indigenous people of the Holy Land, comparing their plight to that of Native Americans. Yet the ethnogenesis of the Jewish people—Hebrew language, Torah, Jewish religion, culture and self-identity—began in Palestine more than 1,800 years before Arabs arrived.

What are the facts?

Palestinian Deputy of Jerusalem Affairs Salwa Habib recently asserted that the “Palestinian people has been present in Jerusalem for thousands of years . . . centuries before the Jewish religion.” Such attempts to delegitimize Israel’s connection to the Holy Land disregard abundant archaeological, historical and genealogical evidence that confirms a continuous Jewish presence in Palestine dating back to the Hebrews’ return from Egypt, circa 1200 BCE. By contrast, Arabs first arrived in Palestine around 640 CE, first became a dominant population there in the twelfth century and first called themselves Palestinians only in 1964.

The U.N. defines an indigenous people as having a) continuously occupied ancestral lands, b) common ancestry with original occupants, c) a distinct common culture, d) a distinct language, e) a religion that emphasizes spiritual ties to the land, and f) a genetic connection to a specific people.

Are Palestinian Arabs indigenous? Comparisons of Palestinians to indigenous Native Americans fall short, as do claims that Palestinians are indigenous to the Holy Land. Unlike American Native People, Palestinian Arabs were not the aboriginal nor ever the sole inhabitants of this land. In addition, the population of Native Americans after white conquest was decimated by massacre and disease, while the Palestinian population has thrived and expanded dramatically over the past century. Finally, Native Americans were never offered a state of their own, whereas Palestinian Arabs have been offered a state many times, starting in 1947, but have refused these offers in favor of futile attempts for nearly 70 years to expel the Jews.

Arabs began to dominate the Holy Land when they arrived as Muslim conquerors in 1187 CE, especially during Mamluk rule, from 1260-1516 CE. However, just as white colonists in the Americas cannot call themselves indigenous people simply

because they lived in an area for centuries, neither can Palestinian Arabs. As for other criteria of indigeneity, Palestinians speak Arabic, which is *not* a language specific to Palestine, nor had they identified as Palestinians before Egypt’s President Nasser so dubbed them in 1964. In reality, there is no ethnic difference between Palestinian Arabs, Syrians and Jordanians. Likewise, Palestinians have no culture peculiar to Palestine, nor do they have strong religious ties to it. The Koran, for example, never mentions Jerusalem, which has been the capital of the Holy Land for several thousand years. Finally,

despite claims by some Palestinians of a relationship to Canaanites, there is no genealogical or genetic evidence connecting Arabs to extinct Biblical peoples.

Are Jews indigenous to Palestine?

The ancient Jewish connection to Palestine is confirmed in the Jewish Bible, the Christian Gospels and the

The Jews’ return to Palestine
reflects an indigenous people’s self-
determination to create a state on
the site of its ancestral kingdom.

Koran, as well as by countless Jewish antiquities and copious scholarly research. Genetic studies show that today’s Jews—whether the Diaspora cast them to Europe, North America, Africa or other parts of the Middle East—are related genealogically to Jews of Biblical times. Jews also have a distinct language, culture and religion that are linked inextricably to Palestine. Indeed, for thousands of years Jewish liturgy has expressed the yearning of Jews to return to the land of Israel: “Next year in Jerusalem” is uttered by every observant Jew at Passover, and Jerusalem itself is a major character in the Torah, cited more than 600 times. Finally, of course, like Native Americans, Jews were dispossessed of their ancient lands—by the Romans, Christian Crusaders, Muslims, Babylonians and Ottomans. Surely just because Jews were deprived of their aboriginal lands doesn’t mean they have no claim to them. Rather than colonialism, of which Israel is accused by anti-Zionists, the Jews’ return to Palestine actually reflects an indigenous people’s self-determination to create a state on the site of its ancestral kingdom.

There’s no doubt that Jews are the legitimate indigenous people of Palestine. That’s not, however, to deny Palestinian hopes for a sovereign state. In fact, Israel has many times offered to support such a state, if only Palestinians would abandon their jihad against Israel’s legitimacy and accept the right of the Jewish people to their own state.

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Facts and Logic About the Middle East

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MINDING THE GAP

In recent decades, CEO compensation has been viewed solely through the lens of shareholder value. This has been a mistake. This perspective has not curbed irresponsible risk-taking or the phenomenal growth of pay packages, and may in fact have encouraged these excesses. We believe that a pay package can be so large as to distort decision-making and isolate a CEO from the rest of the corporation. If CEOs are paid to lead an organization and drive long-term value creation, their compensation should be aligned with the interests of the corporation as a whole.



The Dodd Frank Act, passed in the wake of the financial crisis, may have a partial answer to this problem. On August 5, 2015, the Securities and Exchange Commission issued a rule that will require publicly traded corporations to report the ratio between the CEO's compensation and the compensation paid to the median employee.

Ultimately, this relatively simple metric could impact millions of employees around the world, with multiplier effects throughout the economy, if companies seek to reduce the ratio by raising wages. At the same time that we have witnessed the steady growth

of CEO compensation, wages have stagnated. To cite one report from the Economic Policy Institute, wage growth for most workers has been weak for virtually the entire period since 1979, and "between 2002 and 2012, wages were stagnant or declined for the entire bottom 70 percent of the wage distribution." These trends are unsustainable. Wage stagnation has fueled our nation's debt burden, and contributed to the financial crisis. Investors ignore this at their peril. How are corporate compensation decisions related to this larger macroeconomic problem? The pay ratio disclosures will help us to answer that question.

At Domini, we seek to understand each company's true value proposition for investors and for society at large. We believe that the pay ratio disclosure will serve as an important indicator of quality management. Companies with lower ratios should benefit in the long-term from more loyal and productive employees and a CEO less focused on short-term stock price movements. A CEO that favors narrowing the gap between her compensation and the median employee may be a leader with a better understanding of the sources of value and innovation at her company. A particularly high ratio may justify a vote against the members of the compensation committee. A particularly low ratio may justify higher CEO compensation than we would ordinarily accept. This figure should also serve as a catalyst for particularly interesting and constructive conversations with management.

In *What Publicity Can Do* (1913), Louis Brandeis wrote that "publicity is justly commended as a remedy for social and industrial diseases. Sunlight is said to be the best of disinfectants; electric light the most efficient policeman." Brandeis reasoned that investors will make better decisions if they have relevant information, and their informed decision making will serve as a check on undesirable behavior. He argued that these disclosures can put an end to "unjustly acquired wealth." We view the pay ratio disclosure as a classic "Brandeis indicator"—a figure that once brought to the light of day will operate as a remedial measure.

Will CEOs wish to compete to see who benefits from the most inequitable compensation structure? We will soon find out. Our guess is that they will not.

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